

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN  
REGULAR MEETING  
May 14, 2019**

**THE WAYNESVILLE BOARD OF ALDERMEN** held its regular meeting on Tuesday, May 14, 2019, at 6:30 p.m. in the board room of Town Hall, 9 South Main Street, Waynesville, NC.

**A. CALL TO ORDER**

Mayor Gavin Brown called the meeting to order at 6:33 p.m. with the following members present:

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

The following staff members were present:

Rob Hites, Town Manager  
Eddie Ward, Town Clerk  
Bill Cannon, Town Attorney  
Chief Bill Hollingsed  
Captain Brian Beck  
David Foster, Public Services Director  
Employees of Police Department  
Employees of Public Services

The following media representatives were present:

Becky Johnson, Mountaineer  
Cory Valliancort, Smoky Mountain News

1. Welcome /Calendar/Announcements

Mayor Brown reminded the Board of the following calendar events:

Saturday May 25<sup>th</sup> – 6:00 PM – 10:00 PM – Rockin Block Party – Main Street

Monday May 27<sup>th</sup> – Memorial Day – Town Offices Closed

Mayor Brown also polled the Board for a day that was convenient for them to attend a budget workshop. The consensus of the Board was to hold the meeting on Thursday May 30, at 5:30 PM.

2. Adoption of Minutes

***A motion was made by Alderman Gary Caldwell, seconded by Alderman LeRoy Roberson, to approve the minutes of the May 14, 2019 regular meeting as presented. The motion passed unanimously.***

**B. PROCLAMATIONS**

3. National Public Works Week

Mayor Brown read a proclamation celebrating 2019 Public Works Week. Mayor Brown said he knew that the Public Services Department took great pride in their work and it shows in the recent projects in the Town that have been completed. He urged the citizens of Waynesville and visitors to join with representatives of the American Public Works Association and pay tribute to our public works professionals, engineers, managers, and employees and recognize the contributions they make to protect our national health, safety, and quality of life.

Mr. David Foster asked several employees of the Public Services Department to stand with him to accept the proclamation. He stated that he and his employees appreciate working for the citizens and the Town of Waynesville.

#### National Police Week and Peace Officers Memorial

Mayor Brown read a proclamation for National Police Week and Peace Officers Day. He stated that the members of the law enforcement play an essential role in safeguarding the rights and freedoms of the citizens of the Town of Waynesville. He said it is very important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of their law enforcement officers. They serve the people by safeguarding life and property, protecting them against violence and disorder and providing a vital public service.

Mayor Brown said it was the integrity of the Police Officers that is the key to everything they do. He told the Police Officers that each one of them brought integrity to their job, and that if they maintain that integrity, at the end of the day the community will survive any trials that we may have. He stated that citizens also need to trust the officers to always do the right thing.

Town Manager Rob Hites said he had never seen a Police Department with as much discipline as the Town of Waynesville Police Department.

Chief Bill Hollingsed conducted the promotion and badge presentation for Sergeant Matthew Cogburn, and Lieutenant Brandon Gilmore. He also recognized the families of the law enforcement officers and the sacrifices their families make every day. He gave brief career histories for each of the officers, and both were congratulated by the Board of Aldermen.

### **C. NEW BUSINESS**

4. Request for approval for updated proposal for purchase of circulation fan
  - Fire Chief Joey Webb

Fire Chief Joey Webb explained to the Board that at the April 9, 2019 Board Meeting, the board approved the purchase of the circulation fan for Fire Station 1. An onsite visit with a representative from the company met with Chief Webb and Town Engineer Preston Gregg to verify the installation. It was discovered that a light would have to be removed and a couple of other structural modifications would need to be completed to get the proper installation for the fan. The new proposal includes a light kit on the fan to replace the removed light and other included modifications for installation.

A new proposal for the fan and installation has been received; total cost is \$11,817.12, which is an increase of \$2,664.33 over the first proposal.

Due to the retirement of Assistant Chief Morgan and the pending replacement, the Fire Department has additional funds in the Wages budget that would allow for the purchase of the fan utilizing lapse salary dollars. The additional cost can be covered by these funds. The cost savings from the electric usage would provide a quick return on the investment.

***A motion was made by Alderman Julia Freeman, seconded by Alderman Jon Feichter, to approve the updated proposal with an increase of \$2,664.33 for purchase of a new circulation fan for the bay area in Fire Station 1. The motion carried unanimously.***

5. Board Appointment to the Cemetery Committee

- Mayor Gavin Brown

Mayor Brown said that at the March 1, 2019 Board Retreat the Board decided that the Cemetery Committee will be comprised of five appointees directly from the Mayor and the Board. At the April 23, 2019 Board meeting the Board appointed five members to the Committee and voted by ballot for two members. However, one member that was voted on by ballot at the April 23, 2019 Board of Aldermen meeting, has stated she will be unable to serve on the Committee. Mayor Brown told the Board to vote by ballot for one member to replace Ms. Barbara Freeman.

Mr. Edwin Fish, a retired mechanic for the Town of Waynesville, was voted unanimously to serve on the newly formed Cemetery Committee.

6. NCDOT Roadway Project: Lighting Options

- Town Engineer Preston Gregg

- a. U-5839 Russ Avenue
- b. U-5888 North Main Street/Walnut Street Roundabout Project

Town Engineer Preston Gregg told the Board that this was a follow up from the presentation made to the Board last fall, regarding lighting along the Russ Avenue corridor and Walnut Street portion of the NCDOT U-5839 project. There were two different styles of fixtures that are being proposed. He presented the Board with three items for their consideration.

- 1.) The first style (identical to recent lights installed in Frog Level Parking Lot) is a decorative, black in color LED fixture with a "bishop's crook" mounted at 20' on a black aluminum decorative pole spaced at ~75' apart. These lights will be installed on Walnut St. from Main St. to the intersection at Boundary / Branner Ave. Currently proposed along this stretch of road is a total of nine lights estimated at \$4,500 each (includes install price for footings and pull boxes). NCDOT will be covering cost for all underground work, materials and labor.

Total estimated cost to town for lights on this section of road (includes install): \$40,500

2.) The second style of fixture being proposed is a roadway LED fixture, black in color, and mounted on a black fiberglass pole at 30' tall. These lights would be installed from the intersection of Boundary / Branner all the way to Howell Mill Rd. for a total of approximately 23 lights spaced at ~125' - 150' apart (varies). Estimated costs (includes install price for footings and pull boxes) for these lights are \$4,200 each. NCDOT will cover all underground expenses along Walnut St.; however, no underground expenses will be covered from the railroad bridge to Howell Mill Rd. These expenses include: all underground materials (wire, conduit, etc.) and directional boring subcontractor. Assuming Town crews perform this work and the install cost is already a "sunken cost" to the Town, we estimate the above at \$70,000.

Total estimated cost to town for lights on this section of road (includes install): \$166,600

3.) Duke Power's territory begins at Howell Mill Rd. along Russ Ave. An option available to the Town is to coordinate with Duke's engineers requesting they incorporate a lighting plan in their power relocation plans that would match (as closely as possible) the Town's roadway style fixtures (in option #2 above). This would be a monthly cost to the town at approximately \$25/fixture for a total of approximately 20 fixtures. Total cost per year ~ \$6,000. In addition to this monthly cost, Duke Energy would assess fee(s) to the Town for any "abnormalities" that may occur during the install of the lights. This could include, any boring costs, seeding and mulching required, driveway repair, etc. Town staff is currently working with Duke's lighting specialists to better estimate these costs. The Town currently pays for nine roadway fixtures along this section of roadway. The annual cost for these nine lights is \$1,900. In this scenario these poles, and fixtures are owned and maintained by Duke. The other option to consider with this section of Russ Ave. is to do nothing; in which case Duke will install back what is already existing (wooden pole with galvanized arm and cobra head fixture).

As a side note, Mr. Gregg stated that it has been communicated to Town staff by NCDOT this project is based off the 2010 population census reporting in which the Town's population was just under 10,000 people. This being the case Mr. Gregg said that the Town is not responsible for paying any cost associated with relocating water or sewer lines unless a line size increase is requested. The Town will be 100 percent responsible for paying all lighting costs and for the relocation of all overhead utilities from the railroad bridge to Howell Mill Road. The relocation costs for these overhead utilities is currently estimated at \$350,000.00.

*N. Main / Walnut St. Roundabout (Current Let Date: Feb. 2020)*

Mr. Gregg told the Board that relocation plans for Town power have been completed and NCDOT has provided a lighting plan for the Town's consideration. NCDOT is responsible for paying the cost for 10 of these fixtures around the perimeter of the roundabout; however, if the Town wishes to install something superior than what NCDOT typically specs, the Town would then pay the difference. The fixture and pole typically specified by NCDOT is estimated at \$2,000.

***A motion was made by Alderman Jon Feichter, seconded by Alderman Julia Freeman to to direct staff to have NCDOT to install an additional 10 lights at their expense and the Town to install an additional 27 lights at the Town's expense of approximately \$166,600.00 in consideration for lighting improvements as a part of the NCDOT Russ***

***Avenue widening project and the North Main/Walnut Street roundabout project. The motion passed unanimously.***

7. Special Events – June and November
  - Mayor Gavin Brown

Requests were received for three (3) upcoming events in the Town of Waynesville. The Special Events Committee has reviewed the applications, discussed any concerns noted and spoken with event organizers to seek out solutions.

1. Walk to end Elder Abuse – Monday June 17<sup>th</sup>

this is the fourth year for this event to be downtown utilizing the sidewalks for the walk. The event begins at the Historic Courthouse and most of the event will be on the courthouse lawn. Civilian Police Volunteers have assisted with this event to ensure that crossings are safe at Church Street and Depot Streets. This event begins at 6:00 p.m. There were no concerns about this event.

2. Hazelwood Baptist Church Car/Craft Show – Saturday June 29<sup>th</sup>

– this is a new event. HBC is requesting closure of Virginia Avenue from Kentucky Avenue to Hazelwood Avenue to hold portions of the event. There are multiple other ways to enter and exit Virginia Avenue. The event begins at 10:00 a.m. and will end at 2:00 p.m.

3. The Holiday Market – Saturday November 30<sup>th</sup>

this is the second year for this festival in Frog Level. It utilizes the same foot print as the Whole Bloomin’ Thing festival. The event is from 9:00 a.m. until 4:00 p.m. with set up beginning at 5:30 a.m.

***A motion was made by Alderman LeRoy Roberson, seconded by Alderman Julia Freeman, to approve the special events permit applications and direct Town Manager to execute special events permits, as presented. The motion passed unanimously.***

**D. COMMUNICATIONS FROM STAFF**  
Manager’s Report

8. Contract to perform waste water flow measurement and smoke testing
  - Town Manager Rob Hites

Manager Hites explained to the Board that the copious rains we have experienced in the past year have created several sewer overflows in the collection system and have increased flows more than three million gallons per day at the plant. The Town has been cited several times for ‘Sanitary Sewer Overflows (SSO)’ by the State and they have expressed a desire to require that we reduce our inflow to the system. He said that one of the prime areas that the State has requested is that we determine is how much of the inflow is coming from our collection system and how much the Town is receiving from its wholesale customers. They have asked us to conduct a “flow analysis” at the locations where we receive flows from our wholesale customers and start the process of locating failures in our own collection system.

Manager Hites presented a contract to the Board by McGill and Associates, that proposes to conduct such a flow analysis as well as smoke testing of 10,300 linear feet of collection lines. This means that a red

colored smoke bomb is dropped into a manhole and a fan is placed over the opening. The fan pushes the nontoxic smoke through the collection line and it penetrates cracks in the pipe and up through the soil. We can then locate the area with a GPS and repair the crack. He stated that many times a Town will find an illegal connection of a storm drain or gutter system hooked into the sanitary sewer by using this method. The Town will then notify the owner and the drains must be disconnected. McGill and Associates proposes to charge a lump sum of \$40,000 to conduct the study. This analysis will help the Town's standing with DEQ and hopefully dissuade them from requesting we negotiate a second Special Order of Consent (SOC) covering our collection system.

***A motion was made by Alderman Gary Caldwell, seconded by Alderman LeRoy Roberson, to approve a proposal by McGill and Associates to conduct a "Flow and Smoke Study of the Town's Waste Water Collection System in the amount of \$40,000.00. The motion carried unanimously.***

9. Request by Junaluska Sanitary District to purchase Town Waste Treatment Plant
- Town Manager Rob Hites

Manager Hites said that the chair of Junaluska Sanitary District had sent a letter to Mayor Brown requesting that the Town convey the Waste Treatment Plant to the Sanitary District for \$1.00. Junaluska Sanitary District would then have a 120-day period of due diligence to study the current condition of the plant. They would then enter a second 120-day negotiation period when the two bodies would determine a sale value for the plant and negotiate an offer to purchase it. He said if approved, the purchase would close at the end of the second due diligence period.

Manager Hites stressed to the Board that the Town would cease to own the plant and would become a wholesale customer of Junaluska Sanitary District. The Town's rates would be determined by the governing board of Junaluska Sanitary District. The sewer fund would pay for the cost of treatment and the care and maintenance of the Town's distribution system. It would continue to bill and collect revenue in the same manner as it does at present.

Mayor Brown stated that while the Town is not able to accept the offer of Junaluska Sanitary District to purchase the Waste Water Treatment Plant, the Town is interested in sitting down and discussing our relationship. He said that he understood the current contract between Waynesville and Lake Junaluska Sanitary District is poorly written, outdated and impossible to interpret. We would like to meet and begin to redraft our contract to match formats that most public bodies follow.

***A motion was made by Alderman Jon Feichter, seconded by Alderman LeRoy Roberson, to disapprove JSD's offer to purchase the plant. The motion carried unanimously.***

10. Attorney's Report

Town Attorney Bill Cannon reported that the mediation for the Red Square lawsuit went as well as expected. He stated that the mediator had presented a way to resolve the situation, but the client would not agree. Attorney Cannon believes that the case might come to trial in September.

**E. COMMUNICATIONS FROM THE MAYOR AND BOARD**

There were no comments.

**F. CALL ON THE AUDIENCE**

**G. CLOSED SESSION**

The Board will enter in to closed session to discussing personnel in accordance with NCGS § 143-318.11(a)(6).

***A motion was made by Alderman Gary Caldwell, seconded by Alderman Julia Freeman, to enter closed session for discussing personnel in accordance with NCGS § 143-318.11(a)(6) at 7:44 pm. The motion carried unanimously.***

The Board returned from closed session at 8:04 p.m.

***A motion was made by Alderman Leroy Roberson, seconded by Alderman Gary Caldwell to approve the payment of all the accrued vacation time for Police Chief Bill Hollingsed upon his retirement. The motion carried unanimously.***

**H. ADJOURN**

***There being no further information to discuss, Alderman Gary Caldwell made a motion, seconded by Alderman Julia Freeman to adjourn the meeting at 8:06 p.m. The motion carried unanimously.***

**ATTEST:**

\_\_\_\_\_  
Gavin A. Brown, Mayor

\_\_\_\_\_  
Robert W. Hites, Jr., Town Manager

\_\_\_\_\_  
Eddie Ward, Town Clerk