

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**Regular Meeting**  
**June 9, 2020**

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

**A. CALL TO ORDER SPECIAL MEETING**

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

Mayor Gary Caldwell  
Mayor Pro Tem Julia Freeman  
Alderman Anthony Sutton  
Alderman Jon Feichter  
Alderman Chuck Dickson

The following staff members were present:

Rob Hites, Town Manager  
Amie Owens, Assistant Town Manager  
Eddie Ward, Town Clerk  
Town Attorney William Cannon  
Ben Turnmire, Finance Director  
Jeff Stines, Interim Public Services Director  
Preston Gregg, Town Engineer  
Police Chief David Adams  
Lt Chris Chandler  
Lt. Tyler Trantham  
Lt. Brandon Gilmore  
Fire Chief Joey Webb  
Byron Hickox, Land Use Administrator

The following media representatives were present:

Vicky Hyatt, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Caldwell welcomed everyone. He said the events for this month have been cancelled due to COVID-19.

2. Adoption of Minutes

***A motion was made by Alderman Julia Freeman, seconded by Alderman Chuck Dickson to approve the minutes of the May 26<sup>th</sup>, 2020 Special Meeting as presented. The motion carried unanimously.***

**B. PUBLIC COMMENT**

Town Attorney William Cannon asked if there were any public comments.

**Lauren Wood  
203 High Street  
Waynesville, NC 28786**

Ms. Wood stated she had lived in Waynesville for over two years and had worked for Haywood County Health and Human Services Agency. She said she had resigned in part due to the County's unwillingness to play any part in aiding the Homeless find shelter due to COVID 19. Ms. Wood expressed shock and disbelief at the way the Homeless has been demeaned and disregarded them in newspapers, social media and in casual conversation. She said she urged all who complained about the negative outcome of living on the streets, to attempt to get to know them. Ms. Wood asked that the Homelessness Task Force waste no more time and partner with organizations to provide homeless people shelter during the COVID-19 pandemic. She also asked that the Police Department perform self-evaluations, and perhaps retraining for following best practices in the community.

**Jesse-Lee Dunlap  
28 Georgia Avenue  
Waynesville, NC 28786**

Ms. Dunlap said that over the course of the last month several agencies, motels and churches have housed the Homeless during the COVID-19 pandemic. During this time there have been success stories with some getting jobs, permanent housing, and medical care. She would like to see these agencies continue to be of assistance to the Homeless. Ms. Dunlap stated that the funding for this assistance will expire in eight days, and the County has refused to participate in the funding to these agencies. Money from the CARES Act has been distributed and she asked if the Town of Waynesville had received any portion of the funding. The average amount spent for each Homeless person is \$30,000.00. She explained that she would like to see the program continue for the Homeless because it would help reduce some of the negativity shown towards them in addition to helping them gain a productive life.

**Becca Goldstein  
28 Georgia Avenue  
Waynesville, NC 28786**

Ms. Goldstein urged the Board to provide shelter to the Homeless and keep the community safe during this pandemic. The Homeless have been shamed and demeaned and now they must eat meals in a hot church parking lot because the Open Door cannot serve meals anymore. She told the Board that they now have an opportunity to help the Homeless and the whole community. Ms. Goldstein said she would continue to fight for Homeless and for shelter and a better life for them.

**Joseph Lipari**  
**156 Johnson Hill Drive**  
**Waynesville, NC 28786**

Mr. Lipari said he wanted to address the safety and health concerns of the burning code within the city. During the summer many people burn, and it is hard to keep windows open due to smoke. He explained that he felt his wife had died in 2011 due to smoke from someone burning without a permit. He does not feel that there should be a 30-day timeframe for burning with a burning permit. He said the Board should be more concerned about the citizen's health.

Mayor Caldwell referred Mr. Lapari to Fire Chief Joey Webb.

**Lois Hollis**  
**156 Johnson Hill Drive**  
**Waynesville, NC 28786**

Ms. Hollis stated she had been in contact with the Fire Department, Police Department, and eventually the Code Enforcement Department and was told that there is nothing that can be done concerning the burning and smoke in the neighborhood.

Mayor Caldwell referred Ms. Hollis to Fire Chief Joey Webb.

**Jeremiah James**  
**94 Allens Creek Road**  
**Waynesville, NC 28786**

Mr. James told the Board that he is a member of the working Homeless community. He said there are definite solutions to the Homeless problem. He said everyone needs to be on the same page with the problem in the community. Citizens of the community are enraged, and the Homeless have no solutions. He said it was very frustrating for everyone. He explained that his family had been in this area for generations, and most of the Homeless was much less fortunate than him because he had been able to get a job. He urged everyone to work to find a solution that would benefit the community.

**Josh Merrell**  
**Burnette Cove**

Mr. Merrell stated he would like for the Board to initiate some form of education for the community and youth as to what to do in situations where police are abusive. He wants to help our community and law enforcement to regain harmony.

**Nicole Peseski  
131 Rabbit Ridge  
Canton, NC 28716**

Ms. Peseski stated she had worked briefly at Pathways. She feels that any person should not have the barrier in place concerning having a substance abuse or mental health disorder, and not being allowed to live at Pathways. Her concern is that even though you don't have a place to live or shelter, everyone should be taken care of.

Mayor Caldwell asked Ms. Buffy Phillips, Downtown Waynesville Association Executive Director, to present information she had obtained from the merchants on Main Street concerning the issue of temporarily turning Main Street into a one-way street for better recovery of business due to COVID-19. Ms. Phillips referred the Board to the information she had relayed to them earlier about one-way main streets, sidewalk dining, and pedestrian only streets from other towns and cities.

### **C. NEW BUSINESS**

3. Historic Preservation Commission's design process of the intersection at South Main Street, Virginia Avenue, and Country Club Drive.
  - Byron Hickox, Land Use Administrator

Mr. Byron Hickox, Land Use Administrator, presented to the Board information regarding the Historic Preservation Commission's role in advising the North Carolina Department of Transportation (NCDOT) during the design process of the intersection at South Main Street, Virginia Avenue, and Country Club Drive.

Mr. Hickox said that the Historic Preservation Commission has provided NCDOT with their input regarding the intersection at South Main Street, Virginia Avenue, and Country Club Drive. Specifically, the HPC has suggested the possibility of replacing the original design of a traditional lighted intersection with a traffic circle.

***A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton to support the Conceptual Design of the intersection at South Main Street, Virginia Avenue, and Country Club Drive.***

### **PUBLIC HEARING**

4. Public Hearing to consider the adoption of the Fiscal Year 2020-2021 budget.
  - Finance Director, Ben Turnmire

***A motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman to open the Public Hearing at 7:10 pm. The motion carried unanimously.***

Finance Director Ben Turnmire reviewed the FY 2020-2021 Budget that had previously been presented at the Special Called meeting held on May 26, 2020. He said it was similar as to what they had seen, apart from some updated numbers. Mr. Turnmire once again expressed his concerns over the impact the COVID-19 pandemic has had and will continue to have in the future. He reiterated to the Board that it was a revenue issue and not an expense issue.

He said that the Budget proposal is a maintenance of service budget meant to carry the Town through the first year of a multi-year downturn in the economy. He explained that it represented a decrease in spending due to a rapid and drastic drop in Sales Tax Revenue. There is no career track or COLA adjustment in the budget, and we have tried to decrease operational budgets without affecting any Town services.

After reviewing each fund with the Board, Mr. Turnmire asked the Board to remember the following eight takeaways from the budget:

- High levels of continued uncertainty
- Large decline in sales tax revenue
- Delayed motor vehicle tax collection
- Utility rate increases
- Higher level and longer periods of customer utility delinquency
- Baseline operations without cutting Services
- If projections do not meet expectations must look to personnel reductions

Town Attorney William Cannon opened the Public Hearing for public comment at 7:17 pm. and asked if anyone wished to speak.

There were no comments.

Town Attorney William Cannon closed the Public Hearing at 7:18 pm.

***A motion was made by Alderman Julia Freeman, seconded by Alderman Anthony Sutton to close the Public Hearing. The motion carried unanimously.***

Mayor Caldwell asked the Board for any comments or questions they might have.

**Alderman Jon Feichter** asked about the amount that the average homeowner could see as an increase in their utilities. Mr. Turnmire stated that based on an average household and for all enterprise funds, the increase would be about \$8.00 to \$9.00 per month.

**Alderman Anthony Sutton** said he felt that the inclusion of a second Police Captain should be postponed until next year in order to save the Town about \$10,000.00. He asked that the Recreation Advertisement Budget be cut back to \$5,000.00. Alderman Sutton stated he would like for the Career Track development be added back into the budget.

**Alderman Feichter** thanked everyone involved in the preparation of the Budget. He said that in preparing this year's budget, it involves funding a need versus a want. He praised the Police Department and said he felt that the Career Track program needs to be back in place, not just for the Police, but for everyone. At the February retreat a decision was made to fund a salary study for the Town. Since that time, the financial status of the Town has changed dramatically, and at this point and time he proposes that the salary study be deferred to save money. He said he felt like the study would be a want and not a need. Alderman Feichter supports the adjustment in the advertising for the Recreation Department and hopes that a less expensive way of advertising can be found.

**Alderman Julia Freeman** said that the Town had invested a lot in employees with training, and the Town needs to make sure those quality employees are kept. She said that in order to do that, the Town should fund the educational components within the Career Track program across the board with every employee. She thanked the Police Department their participation and expertise while protecting the citizens of Asheville during the recent protests.

**Alderman Chuck Dickson** thanked the Police Officers who participated in the protests in Asheville, Waynesville and Canton during the past week. He said he is in total agreement with reducing the Recreation Advertising budget and possibly use that money to find the best possible way to do some advertising. Alderman Dickson said he had some adjustments to the Special Appropriations, and he would be in contact with Mayor Caldwell and Assistant Town Manager Amie Owens.

Mr. Turnmire explained to the Board that as the Town's Finance Director he did not recommend the funding of 1 ½ percent to the Career Track Program. He said that this is not an expense issue, but a revenue issue. If you fund Career Track now and then in six months the revenue isn't there to support, is a great possibility. He said that Career Track is not discretionary, not a one-time thing, but it is ongoing, and compounds. Mr. Turnmire said that he is not confident in the data that has been given by economist concerning the State of North Carolina. There is great uncertainty, and no one knows what the outcome will be.

Alderman Sutton stated he was adamant about the equality study so the women employees can be paid as much as men doing the same job.

Alderman Feichter asked if some of the study be done inhouse to look at those positions, and if the Career Track and pay study could be postponed because of the financial uncertainty now.

Manager Hites explained the advantages of having a third party conduct the pay study. He said there has not been a pay study since 2006, and the Town is extremely out of date. The issue is of you don't know what your base level equity is, how do you determine what is equitable. With a third-party study you will find that there are some employees who are where they should be with pay and others are deficit.

After much discussion the consensus of the Board was to delay the decision of the Career Track versus pay study until the June 23, 2020 meeting.

5. Plott Heights Landslide

- Preston Gregg, Town Engineer

Mr. Preston Gregg, Town Engineer, explained that at the last board meeting, Town staff discussed repair options for the slide at Plott Heights Rd. At that meeting, the board asked for a cost comparison for the Town to self-perform the repair work vs. hiring out the work for an estimated \$350,000.

Last week, a two man crew was sent out to the site with two small track hoes to begin excavating at the bottom of the 50 foot slope to determine existing drainage conditions and to begin moving "Class VII" (3' diameter rock) rock to determine how much rock was actually onsite and could be reused to build the embankment back.

Mr. Gregg said that when the bottom of slope was excavated, water poured out of the existing embankment and was graded so that positive drainage was directed away from the slide area. It is estimated that enough large rock is onsite and can be reused towards the repair. Once the large rock has been brought up the embankment to within an elevation of 20 feet below Plott Heights Rd., road bond will be utilized and hauled from the rock quarry to backfill the cavity that has formed.

Now that the site has been "cleaned up" at the base of the slope and existing conditions have been revealed, Mr. Gregg feels confident that the work of rebuilding the rock embankment and repairing the roadway surface of Plott Heights Rd. can be self-performed 100% by Town forces and can save the Town unexpected costs.

Estimated Total Costs:

- Road Bond: \$15,000
- Misc. Stone: \$15,000
- Paving: \$10,000

Total: \$40,000 (Expenses not expected until after July 1, 2020)

***A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to direct staff to repair the slide with internal force. The motion carried unanimously.***

Mr. Gregg explained that a bridge located on Chelsea Road was failing and needed to be repaired for the ten homes located past the bridge would have access. He said that a plan was being made to open a road from Sutton's on South Main until repairs can be completed.

#### **D. COMMUNICATIONS FROM STAFF**

##### **6. Manager's Report**

- Manager Rob Hites

##### **Haywood Waterways Phase II Stormwater Management Plan Implementation, Education and Outreach**

Manager Hites explained to the Board that Haywood Waterways Association, Inc. is submitting a proposal to assist the Town with implementing the Public Education Outreach, and Public Participation and Involvement Minimum Control Measures to outline tasks that would be completed in Fiscal Year 2020-21. These tasks will help you distribute education materials to the community and engage citizens in water quality protection work. The tasks and costs are estimates and because Haywood Waterways would be working on a fee basis and would only charge for the actual hours worked with costs set as "not to exceed". The current billing rate is \$35.00 per hour, plus travel at the federal standard mileage rate and printing costs, if necessary.

Haywood Waterways currently implements many education, outreach and public participation activities in the community. Haywood Waterways supports Waynesville's use of those activities to satisfy the town's Phase II permit. If Haywood Waterways needs to supplement those activities with stormwater related materials to satisfy Waynesville's permit, Waynesville would only be billed for costs above and beyond those normally required. For example, we would not charge Waynesville for the normal operation of our display at a community event. We would only bill for such tasks as time spent gathering stormwater brochures or obtaining a stormwater poster for display.

##### **1. Minimum Measure #1: Public Education and Outreach**

Haywood Waterways will implement the following best management practices for this minimum measure:

- Write quarterly press releases and distribute to the press and town officials;
- Distribute education materials through the newspapers, the schools and placement at strategic locations throughout Waynesville, such as in community buildings, realty offices and other businesses;
- Produce stormwater related topic to be mailed as a post card to at least 3,000 residents;
- Setup special displays at community festivals and local library;
- Provide stormwater related information on Town's website; and
- In addition, Waynesville can support HWA's premier education event, Kids in the Creek, by purchasing waders and other supplies to replace old and deteriorated waders.



2. Minimum Measure #2: Public Involvement and Participation

Haywood Waterways will implement the following best management practices for this minimum measure:

- Support stream clean-up events, such as Big Sweep, and expand the Adopt-A-Stream Program started in FY 2008-2009;
- Work with schools, youth groups and other local organizations to post storm drain markers to inform citizens that dumping into storm sewers can pollute local waterways;
- Through public press releases, promotional giveaways, sign posting and coordinating with local groups, develop or expand community recycling/collection programs for used oil, antifreeze, household hazardous wastes and other potential pollutants;
- Provide 'Build a Rain Barrel' workshop for public participation;
- Provide stormwater related information for Town's website & Facebook;
- Advertise opportunities for public participation and involvement in newspapers, posters around town, in neighborhood newsletters, at civic organization meetings, through mass mailings, promotional giveaway, or any other method; and
- Disseminate the results of the Volunteer Water Information Network Program, a program monitoring the water quality at 13 sites on seven streams in the Waynesville area.

Total Costs for Phase II Assistance

Education and Outreach Program	\$2,667.50 (time) + \$3,180.00 (material) =	\$5,847.50
Public Participation and Involvement	\$1,330.00 (time) + \$480.00 .00 (material) =	\$1,810.00
Quarterly Reports (4 reports @ \$35/hr. x 2 hrs.)		\$280.00
Total Cost (Not to Exceed)		\$7,657.50

***A motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman, to approve the annual contract with Phase II Stormwater Management Plan in the amount of \$7,657.50. The motion passed unanimously.***

Manager Hites told the Board that the work on the municipal Building was moving along, but several of the ceiling tiles needed to be replaced for them to match. He said the cost of replacing the tiles would be \$2800.00.

***A motion was made by Mayor Gary Caldwell, seconded by Alderman Anthony Sutton to replace the ceiling tiles in the Municipal Building at a cost of \$2,800.00. The motion passed unanimously.***

10. Town Attorney Report
- Town Attorney, Bill Cannon

Attorney Cannon said there was a mediation scheduled for Monday June 15<sup>th</sup> on a claim against the Town involving an accident that occurred at the Recreation Center.

He said the court system is beginning to start back up, and that means that the litigation with Triangle Auto and the Hazel Street hearing will be back on track soon.

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

**F. ADJOURN**

*With no further business, a motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman, to adjourn the meeting at 8:08 p.m. The motion carried unanimously.*

**ATTEST:**

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Gary Caldwell, Mayor

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Robert W. Hites, Jr. Town Manager

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Eddie Ward, Town Clerk