

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
Regular Meeting
January 11, 2022

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday January 11, 2022, at 6:00 pm. in the Town Hall Board Room located at 9 South Main Street Waynesville, NC.

A. CALL TO ORDER

Mayor Gary Caldwell called the meeting to order at 6:02 pm with the following members present:

Mayor Gary Caldwell
Mayor Pro Tem Julia Freeman
Alderman Jon Feichter
Alderman Chuck Dickson
Alderman Anthony Sutton (Via Phone)

The following staff members were present:

Rob Hites, Town Manager
Jesse Fowler, Assistant Town Manager
Kathy Johnson, Deputy Clerk
David Adams, Police Chief
Brandon Gilmore, Assistant Police Chief
Elizabeth Teague, Development Services Director
Misty Hagood, Finance Director
Martha Bradley, Town Attorney

The following media representative was present:

No media were present

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone to the meeting and reminded them that Town Offices will be closed on Monday January 17, in observance of Martin Luther King, Jr. Day.

B. PUBLIC COMMENT

Erich Overhultz
26 Davis Lane
Waynesville

Mr. Overhultz said he would like to publicly thank Becky Johnson from the Mountaineer for writing an excellent article on vagrancy and littering around the bridge areas and calling attention

to the issue. He thanked Town Manager Rob Hites for meeting with him on this issue and said he has a meeting scheduled with Sherriff Christopher on January 19 with Police Chiefs across Haywood County to discuss and develop a plan to deal with the situation. He said district attorney Ashely Welch has said she is prepared to prosecute those that are charged. He asked if the DOT has jurisdiction over the bridges in the town which are not classified as state roads. If not, will the town consider placing "No Trespassing" signs on bridges within our town limits. He addressed the board on previous discussion on the 48-hour notification policy to remove squatters and asked the Board to not let the Towns public policies be carried out under a cloud of intimidation.

Sherry Morgan
PO Box 1496
Waynesville

Ms. Morgan spoke on low barrier shelters and their impact on Asheville. She said a verbal agreement is not enough. The citizens want to feel safe and would like an ordinance to protect against low barrier shelters.

Ellen Pitt
77 Blackberry Lane
Maggie Valley

Ms. Pitt told the Board that Buncombe County court was in the process of becoming an Academy court and could train other courts in establishing and maintaining sobriety courts and there is no cost to establishing these types of courts. She invited members of the Board to a drop in reception for grandparent coalition on January 31st in Maggie Valley.

C. CONSENT AGENDA

All items below are routine by the Board of Aldermen and will be enacted by one motion. There will be no separate discussion on these items unless a Board member so requests. In which event, the item will be removed from the Consent Agenda and considered with other items listed in the Regular Agenda.

- i. Adoption of minutes of the December 14, 2021, regular meeting

A motion was Made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman, to approve the Consent Agenda as presented. The motion passed unanimously.

Anthony Sutton, aye
Jon Feichter, aye
Chuck Dickson, aye

Julia Freeman, aye
Gary Caldwell, aye

D. PRESENTATION

2. Drug Courts, addictions, and mental health issues

- Peggy Hannah

Ms. Hannah went over handouts she presented to the Board and spoke on crime rate statistics in the Town of Waynesville and across the state. She went over various arrests and said the Waynesville police do their job everyday but do not get the credit they deserve. She said in an interview with Sherriff Christopher on pretrial release program that he had stated that the program does not work. She discussed the pretrial release system and the homelessness in the Town and questioned if the Board has received any documentation stating what the Helping Hands program has done with the \$70,000, they received from the Town.

Ms. Hannah said the citizens would like the Board to release a statement saying if they were in support of, or against the pretrial release program and said the Board needs to work with Ellen Pitt on getting the sobriety court established.

Mayor Caldwell said that no one on the Board supports the pretrial release program and he encouraged Ms. Hannah to contact Mike Clampitt and Mark Pless on the issue.

E. OLD BUSINESS

3. Amendment to Chapter 44, Solid Waste and Weeds.

- Town Manager Rob Hites

Manager Hites told the Board that during the November 23rd, and December 14th 2021 meetings he had presented amendments to Chapter 44, Solid Waste and Weeds Managements, that would accommodate and regulate the use of 65-gallon rollout recycling carts, recycling bins, and 95-gallon garbage carts for their review. The amendments have been presented in detail during the previous meetings.

Mr. Hites said he had a call from a citizen which prompted an addition to page 413, section 44-2(H) stating: In cases where a residence or business cannot locate such containers on their property due to lack of space or the inability of the Town to access the property with vehicles equipped with hydraulic lifts, the public service director may permit alternative containers. He stated he would answer any questions and welcomed any recommendations the Board might have. There was much discussion between Mr. Hites and Board members on enclosure requirements and garbage containers.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Julia Freeman to adopt the amendments to Ordinance No. O-23-21 Chapter 44 Solid Waste and Weeds Management. The motion passed unanimously.

***Anthony Sutton, aye
Jon Feichter, aye
Chuck Dickson, aye***

***Julia Freeman, aye
Gary Caldwell, aye***

4. Carolina Technologies Integrated Systems Proposal for Board Room Upgrade

- Assistant Town Manager Jesse Fowler

Assistant Town Manager Jesse Fowler presented the re-evaluation of the quote from Carolina Technologies Integrated System Proposal for the Board Room upgrade for Audio Visual equipment. He said the current quote removes the speaker system used for overflow downstairs and two of the cameras inside the board room. The system will include two cameras inside of the Board Room that will allow future zoom conferencing during meeting and will allow overflow crowds in the mezzanine to be able to see what is going on in the Board Room. The cameras would not be in use without approval from the Board.

Mr. Fowler said the addendum to the contract states if there is a problem with the equipment that Electronic Office is unable to correct. Electronic Office will contact Carolina Technology at no additional cost to the Town. This will add an additional \$802.50 a month.

There was much discussion between Mr. Fowler and Board member on concerns about the proposed upgrade.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to approve the bid without the maintenance addendum and to authorize Town Attorney Martha Bradley to negotiate a contract with Carolina Technologies Integrated Systems Proposal for Board Room upgrade. The motion passed unanimously.

***Anthony Sutton, aye
Jon Feichter, aye
Chuck Dickson, aye***

***Julia Freeman, aye
Gary Caldwell, aye***

F. **NEW BUSINESS**

5. Award of Contract for Richland Creek Greenway Bridge

- Development Services Director Elizabeth Teague

Development Services Director Elizabeth Teague said the Town has been under contract with Bell Engineering to design a bridge that goes across Richland creek from the Towns Recreation center to the property that is known as the “old schulhofer” property in accordance with the greenway master plan to link and continue the trail to Lake Junaluska. She asked to Board to consider approving the budget amendment to allocate fund balance toward this project and to approve Owle Construction, LLC of Whittier, NC as the contractor.

Finance Director Misty Hagood said she recommends the \$55,911 come from ARP funds instead of using general funds.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Julia Freeman to approve Ordinance No. O-01-22, Amendment No. 14 in the amount of \$55,911 from the ARP funds to construct the Richland Creek Greenway Bridge.

***Anthony Sutton, aye
Jon Feichter, aye
Chuck Dickson, aye***

***Julia Freeman, aye
Gary Caldwell, aye***

A motion was made by Alderman Jon Feichter, seconded by Alderman Chuck Dickson to award the construction of the bridge to Owle Construction, LLC.

***Anthony Sutton, aye
Jon Feichter, aye
Chuck Dickson, aye***

***Julia Freeman, aye
Gary Caldwell, aye***

G. COMMUNICATION FROM STAFF

Manager's Report

- Rob Hites, Town Manager

Mr. Hites updated the Board on the Chelsea Street bridge project and explained once the footings are poured the bridge construction will begin.

There were only two bids for the Pigeon Street project and according to state law it will need to be readvertised for a period of seven days. If no more bids are received the two bids can be opened.

He explained Nancy Lux with Ray and Bumgardner will be presenting the Board with the Audit presentation at the next meeting.

Three bids were received on the sewer plant with the lowest bid being \$28,444,000 which is considerably higher than the \$19,450,000 loan. If the project cost could be brought down to \$25,000,000 would still be \$5,000,000 higher than the amount of the loan. The local government commission has said they will loan up to 10% more than the \$19,000,000 which will still not be enough. McGill and associates have a meeting scheduled with the contractor to discuss alternate methods of the same treatment at a lower cost. Mr. Hites discussed possible solutions for funding the project.

- Jesse Fowler, Assistant Town Manager

Mr. Fowler said he has received a report along with receipts on the \$70,000 ARP funds that were given to Helping Hands foundation. Due to sensitive material in the reports, he asked that any Board member that wished to review the material to come by his office. If the Board wishes to continue allotting the money, there will need to be a motion from the Board.

The Board agreed to wait until the documents were reviewed by Board members before any more funds were to be released to the organization.

Town Attorney Report

- Martha Bradley, Town Attorney

Ms. Bradley stated she had no announcements.

H. COMMUNICATIONS FROM THE MAYOR AND BOARD

There was discussion between Mayor Caldwell and Assistant Police Chief Adams on the electronic speed limit sign on Legion Drive and the possibility of a permanent sign to replace the portable sign.

I. CLOSED SESSION

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to enter Closed Session at 8:01 pm in accordance with NCGS §143-318.11(6) to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. The motion carried unanimously.

A motion was made by Alderman Freeman, seconded by Alderman Dickson to enter open session at 8:53 pm. The motion passed unanimously.

J. ADJOURN

With no further business, a motion was made by Alderman Dickson, seconded by Alderwoman Freeman, to adjourn the meeting at 8:54 pm. The motion carried unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Kathy Johnson, Deputy Clerk