



Town of Waynesville, NC

Board of Aldermen – Regular Meeting

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

Date: **February 28, 2017**

Time: **6:30 p.m.**

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A. CALL TO ORDER - Mayor Gavin Brown

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

Motion: *To approve the minutes of the February 14, 2017 regular meeting, as presented [or as corrected].*

3. Presentation of Revaluation Information for the Town of Waynesville
 - David Francis, Tax Administrator
 - Ira Dove, County Manager

B. CALL FOR PUBLIC HEARING

4. Call for Public hearing to consider a staff and Planning Board initiated text amendment to the Town of Waynesville Ordinances regarding temporary signage, Land Development Standards Section 11.5.12.
 - Elizabeth Teague, Development Services Director

Motion: *To call for a public hearing on Tuesday, March 14, 2017 at 6:30 p.m. or as closely thereafter as possible in the Board Room of Town Hall located at 9 South Main Street, Waynesville, to consider a staff and Planning Board initiated text amendment to the Town of Waynesville Ordinances regarding temporary signage, Land Development Standards Section 11.5.12.*

C. NEW BUSINESS

5. Request to approve the Interlocal Agreement with Haywood County
 - Elizabeth Teague, Development Services Director

Motion: *to approve the Interlocal Agreement with Haywood County and to authorize staff to proceed with building demolition and property clean-up, as presented.*

TOWN OF WAYNESVILLE – REGULAR SESSION AGENDA

February 28, 2017

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6. Budget Amendment for the replacement of filter media at the Water Treatment Facility

- Eddie Caldwell, Finance Director and David Foster, Public Services Director

Motion: *To approve budget amendment #4 to the 2016-2017 Budget Ordinance, as presented.*

7. Board Appointments for vacant positions

- A. TDA 1% Zip Code Subcommittee – 2 vacancies – 2 applicants
 - Angie Leatherwood
 - Tina Masciarelli
- B. Waynesville Housing Authority – 1 vacancy – 2 applicants
 - Patricia McLean
 - Mary Ann White

Motion: *To appoint [candidate's name] to [name of board/commission], as presented.*

D. COMMUNICATIONS FROM STAFF

8. Manager's Report –Town Manager Rob Hites

9. 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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CALENDAR February 28, 2017

2017	
Mon, Feb 27 5:30 PM Location TBA	Haywood County Council of Governments (COG) meeting Town of Canton Hosting
Tues, Feb 28 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Tues, March 14 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Sat, March 18 8:00 AM WMS and Hazelwood	Mountaineer 2-miler – benefitting WMS PTA (Approved by Aldermen at November 8, 2016 meeting)
Tues, March 28 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Wed, March 29 Raleigh, NC	Town Hall Day – NC Legislature
Tues, April 11 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Fri, April 14	Good Friday Town Offices Closed
Mon, April 24 5:30 PM Location TBA	Haywood County Council of Governments (COG) Meeting Town of Clyde Hosting
Tues, April 25 11:30 AM Inn at Tranquility Farm	Garden Party Luncheon & Fashion Show to benefit REACH
Tues, April 25 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Tues, May 9 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Tues, May 23 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Mon, May 29	Memorial Day Town Offices Closed

Tues, June 13 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Mon, June 26 5:30 PM Location TBA	Haywood County Council of Governments (COG) Meeting Haywood County Hosting
Tues, June 27 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Tue, July 4	Independence Day Town Offices Closed
Tues, July 11 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Tues, July 25 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Tues, Aug 8 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Tues, Aug 22 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Mon, Aug 28 5:30 PM Location TBA	Haywood County Council of Governments (COG) Meeting Town of Maggie Valley Hosting
Mon, Sept 4	Labor Day Town Offices Closed
Tues, Sept 12 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Tues, Sept 26 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Tues, Oct 10 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Mon, Oct 23 5:30 PM Location TBA	Haywood County Council of Governments (COG) Meeting Town of Waynesville Hosting
Tues, Oct 24 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Fri, Nov 10	Veteran's Day Town Offices Closed
Tues, Nov 14 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Thur & Fri, Nov 23-24	Thanksgiving Town Offices Closed

Tues, Dec 12 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Mon – Wed, Dec 25-27	Christmas Town Offices Closed

Board and Commission Meetings –February/March 2017

ABC Board	ABC Office – 52 Dayco Drive	March 21 3 rd Tuesdays 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	March 7 1 st Tuesdays 5:30 PM
Downtown Waynesville Association	UCB Board Room – 165 North Main	February 24 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	March 1 1 st Wednesdays 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	March 20 3 rd Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	March 9 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	March 22 3 rd Wednesdays 5:30 PM
Waynesville Housing Authority	Waynesville Towers – 65 Church Street	March 22 3 rd Wednesdays 3:30 PM

BOARD/STAFF SCHEDULE

Tue – Fri, March 14 – 17, 2017	Assistant Town Manager	Municipal and County Administration Course Chapel Hill, NC
Mon – Fri., May 8 – 12	Administrative Assistant	IIMC Clerks Certification Course – week 2 Chapel Hill, NC
Tue – Fri, April 25 – 28, 2017	Assistant Town Manager	Municipal and County Administration Course Chapel Hill, NC
Mon- Thurs, August 28-31	Administrative Assistant	IIMC Clerks Certification Course – week 3 Chapel Hill, NC
Mon-Fri., October 23-27	Administrative Assistant	IIMC Clerks Certification Course – week 4 Chapel Hill, NC





HAYWOOD COUNTY COUNCIL OF GOVERNMENTS MEETING AGENDA

Monday, February 27th, 2017 at 5:30 PM

The Mill Room, Downtown Canton
51 Main Street

- A. Invocation/Dinner
- B. Pledge of Allegiance
- C. Tax Revaluation Presentation, David Francis
- D. Interconnect
- E. Communication from Members
- F. Adjournment

****Please note the Mill Town Place is located at 51 Main Street which is beside Polly's Florist.****

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REGULAR MEETING
February 14, 2017

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, February 14, 2017 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 6:30 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:

Rob Hites, Town Manager
Woody Griffin, Town Attorney
Phyllis Rogers, Retired Town Clerk
Rhett Langston, Recreation Director
James Robertson, Tax Collector
Lisa Burnett, Purchasing Agent
Eddie Caldwell, Finance Director
Elizabeth Teague, Development Services Director
Joey Webb, Fire Chief

The following media representatives were present:

Allison Richmond, The Mountaineer
Cory Vaillancourt, Smoky Mountain News

1. Welcome/Calendar/Announcements

Mayor Gavin Brown welcomed everyone to the meeting, including Boy Scout Troop 318. Mayor Brown added that it is always good to have a group of young people join the Board at their meeting. Attendance at a meeting will help the boy scouts earn their Merit Badge, show them how to become involved in their community and how to look at both sides of an issue. Mayor Brown said he was once a member of Boy Scout Troop 318 and Alderman Feichter was also a member of Troop 318 for a short period of time. Mayor Brown asked that official Town of Waynesville lapel pins be made available for the Boy Scouts.

Special Meeting Scheduled February 24, 2017 for Board Retreat

A special meeting is scheduled on Friday, February 24, 2017 beginning at 8:30 a.m. at the Wells Events Center for the purpose of a Board Retreat. A draft agenda was presented to the board members for their review and they were asked to contact Town Manager Rob Hites if they have additional items for the agenda.

2. Adoption of Minutes

Alderman Caldwell made a motion, seconded by Alderman Freeman, to approve the minutes of the January 24, 2017 regular meeting as presented. The motion carried unanimously.

3. Introduction of New Fire Fighters by Fire Chief Joey Webb

Fire Chief Joey Webb introduced four new Waynesville firemen and some of their family member members. David Blackburn was unavailable to attend because he was returning from a cardiac arrest call. Cody Parton was working a brush fire at Pigeon Gap. Ben Buchanan has volunteered for Waynesville for six years, and is a former employee of Enka Fire and Rescue. Wesley Alison began as a volunteer for Waynesville before being hired fulltime. This completes the hiring of eight new firefighters by the Town of Waynesville. Mayor Brown expressed appreciation to the firefighters for their service.

Four Fire Captains attended to present a plaque to Fire Chief Webb in honor of him being named 2016 North Carolina Career Fire Chief of the Year. Chief Webb was also named 2016 Career Fire Chief of the Year by the Western North Carolina Association of Fire Chiefs. In November 2016 the Waynesville Fire Department personnel wrote a letter of nomination for Fire Chief Webb which was read by Captain Darrell Calhoun. Upon receiving the award for WNC, Chief Webb was then eligible for the title of Fire Chief of the Year for the State of North Carolina. Fire Captain Allen Stewart added that it is a great honor to Chief Webb and the Waynesville Fire Department for this title to be bestowed on Fire Chief Webb. Chief Webb's wife, two children and seven of his eight grandchildren attended the meeting. Chief Webb said he feels that he is the fire chief of the best town in North Carolina. He gave credit to the firemen in the department that work tirelessly and faithfully in all their tasks. Chief Webb thanked his wife for standing by him through the years. They were married in 1977 and he joined the Fire Department soon after.

A resolution unanimously adopted by the Board of Aldermen by consensus was also presented. Mayor Brown read the last paragraph as follows: "Now, therefore, be it resolved, that the Waynesville Board of Aldermen, on behalf of the Town's employees and all its citizens, wishes to express its appreciation to Fire Chief Joey Webb, Sr., for his outstanding work and leadership, and congratulates him on the receipt of the 2016 North Carolina Career Fire Chief of the Year award."

Mayor Brown thanked Chief Webb for bringing this sense of professionalism to Waynesville and noted that it is also recognized by the community. Mayor Brown thanked everyone in attendance on behalf of Chief Webb, adding that this award is also an honor for the Town of Waynesville.

B. PUBLIC HEARING

4. Public Hearing to consider the approval of the Town of Waynesville Recreation Master Plan

The Waynesville Parks and Recreation Department Systemwide Parks Master Plan: 2017-2026 and the Site Specific Plan for Vance and Recreation Park were created through a public survey and three public meetings. Derek Williams presented the plan to the Waynesville Parks and Recreation Department Advisory Commission on Monday, January 9. The commission voted to approve the plans. The plan was presented to the Board of Aldermen on January 24, 2017 and a public hearing was called for February 14 to gain citizen input on the presented Master Plan.

Attorney Griffin opened the public hearing. The following persons spoke:

Steve Mathis thanked the Board for allowing him to speak. Mr. Mathis was unaware of the master plan and that there have been surveys and opportunities for feedback from the public. He requested that the Board consider adding a public outdoor swimming pool for people to enjoy during the summer. He felt that there is a lot of interest for an outdoor pool and concessions could help the Town generate revenue to operate the pool.

Mayor Brown said the Recreation Master Plan includes a splash pad. Parks and Recreation Director Rhett Langston added that the splash pad does not require as many chemicals, personnel and operational costs as an outdoor pool. Numerous requests have been received for a splash pad and he is unaware of one similar in Western North Carolina. Mayor Brown said the discussion of the Master Plan would continue at the Board's Retreat on February 24. Alderman Roberson added that several years ago the Board discussed repair to the outdoor pool and the costs involved in repair and operation of the pool.

Paul Lentz said he moved to this area approximately three years ago. One of the main things that attracted him to Waynesville was the recreational amenities, and Waynesville's have lived up to his expectations. Mr. Lentz attended all three public meetings. He asked if the Master Plan as presented was "in stone". Mayor Brown explained that the plans have been presented to the Board for further discussion, but are subject to change. Mr. Lentz added that he is a developer and felt that demolishing the existing courts and building new ones may not be the most economical method to use. He felt that the existing courts could be repaired at a cost less than demolition and new construction and would like for the Board to look at cost analysis. Mr. Lentz also requested that Waynesville consider clay courts.

John Greer lives in Haywood County and uses the Town's recreational facilities. Mr. Greer requested that the Board consider outdoor Pickle Ball Courts, adding that this is one of the fastest

growing sports in the Country. Tennis is an awesome sport, but pickle ball is good for people that want to stay active despite limitations. Mr. Greer felt that pickle ball courts would attract tourists during the summer months and fit in with Waynesville's vision statement.

Kenny Mull, Recreation Advisory Commission Chairman, is a resident of Tarheel Drive. Mr. Mull said Parks and Recreation Director Rhett Langston and his staff have been working on the CAPRA Plan for certification of the Recreation Center. One of the criteria for certification is that you have a master plan. This plan gives Waynesville a ten year look of what is needed in recreation. Once the plan is adopted it can be "tweaked". One of the most needed additions in recreation is public restrooms, especially since Waynesville now has a public park at Chestnut Park Drive and the possibility of another park at Calvary Street, located off Pigeon Street.

No one else spoke; Attorney Griffin closed the public hearing. Mayor Brown thanked everyone that spoke and for the comments about the outdoor swimming pool and pickle ball courts. The Board will continue discussions of the Recreation Master Plan at their retreat on February 24.

Alderman Caldwell said the plan puts the Town in a position to obtain grants. He added that the last payment on the Recreation Center will be made in 2018. Alderman Feichter agreed and was impressed with the thoroughness of the plan. He asked how CAPRA is tied in with the plan. Parks and Recreation Director Rhett Langston explained the standards required for certification and how many must be met for certification, one of those being adoption of a plan. Alderman Freeman was very appreciative of the time and effort put into the development of this very comprehensive plan. Alderman Roberson asked if items in the plan have been prioritized. Kenny Mull said some of the priorities include the splash pad, larger weight rooms and aerobic rooms, and restrooms at every park. Parks and Recreation Director Rhett Langston said there were statistics and recommendations for items in the plan, including tennis courts. Another is that an outdoor swimming pool should be included for a community with a population of 34,000. Waynesville's population is 10,000.

Town Manager Rob Hites said Waynesville has a tax base of 10,000 people, but a service base of more than 30,000, which includes residents from areas outside Waynesville's corporate limits. This puts pressure on the citizens of Waynesville to pay for such facilities. Mayor Brown suggested that the Board have further discussion regarding rates and whether they should consider charging outside rates for facility users that live outside Waynesville's corporate limits. Mayor Brown said it is important when the plan is approved that the Board finds a way to pay for it as well. The Board was appreciative for all the work that has gone into the plan. No action was taken. Discussions regarding the plan will continue at the Board Retreat on February 24.

5. Public Hearing to consider a request to rezone 1678 Brown Avenue, PIN 8605-70-6170 from Hyatt Creek Regional Center Commercial District (HCRC) to Hyatt Creek Regional Center Commercial District Conditional District (HCRC-CD)

This request is being made by Ingles Markets, Inc., for the purpose of placing a new store and gas express at their current site on Brown Avenue. The proposal is for the Town to apply map and text amendments for 6.02 acres in the Hyatt Creek Regional Center District (HC-RC) in which the site plan and enumerated ordinance amendment requests specific to this location be applied as a Conditional District (HC-RC-CD).

Development Services Director Elizabeth Teague explained that Ingles would like to redevelop their site located at 1678 Brown Avenue, involving 6+ acres. The current buildings would be demolished with new buildings constructed with a final new footprint almost double in size and including a gas express facility. An easement has been worked out with Haywood County for a sidewalk and the addition of a transit stop has been coordinated. The proposal was heard and unanimously recommended by the Planning Board and found to be consistent with the 2020 Land Development Plan. Approval of a conditional district has more to do with design and flexibility within the ordinance without asking for anything that would not be allowed in the zoning district in which it is located. Floodplain issues and additional sidewalks will be addressed. Adequate water and sewer services are available. Flexibility with the interior parking lot is recommended as well as a signage plan that would be similar to the signage at the Ingles located off Russ Avenue. Multiple services are usually located within Ingles stores such as Starbucks, pharmacy and deli. As part of the conditional district approval the Board will also be approving the site plan. Once approved, if there are any major changes Ingles will need to come back to the Board for approval.

Preston Kendall, representing Ingles, was in attendance to further explain the request by Ingles and answer questions. Mr. Kendall explained that Ingles would like to create this new development to give their customers an improved store similar to the Ingles located off Russ Avenue. In trying to meet the Town's ordinance they are proposing changes in the location of trees. The required number of trees will not change, however the trees will be located in larger islands to avoid having trees grow outside smaller islands. They are also requesting changes in the signage which will be scaled down slightly from the other Ingles with a total of seven signs on the building front. The Town permits 15% signage on the front of the building but the proposal will be less than 4%. 203 parking spaces are proposed with two car charging stations with the capability of installing additional charging stations in the future. Drainage improvements are proposed and will be tied into NCDOT's drainage system. Sidewalks will add connectivity with Haywood County's adjacent property. A bus stop will be located in the front left hand corner of the property. Ingles has worked with the railroad and purchased an additional 50 feet of property and an easement which would allow room for maintenance of transformers, etc. The store currently employs 75 -100 people. These employees will be offered jobs in another location equal to the same rate of pay while the store is closed. When the new store is opened they will hire 300 employees and jobs will be offered to former employees. Demolition should take approximately 30 days and roughly 8 – 9 months to complete reconstruction. Mr. Kendall added that the Town and Haywood County have been great to work with. The Ingles store will be built two feet above the flood plain and the equipment will be located one foot above the flood plain. Mayor Brown added that this Ingles Store on Brown Avenue was originally built in 1983.

Attorney Griffin opened the public hearing.

Paul Lentz lives in Auburn Park and spoke in support of the project, adding that the proposed development will improve the entire area of Waynesville.

No one else spoke; Attorney Griffin closed the public hearing.

Development Services Director Elizabeth Teague explained that a conditional district is similar to an overlay district. Several years ago State Statutes were changed to allow a development to be reviewed and certain areas of a development approved without allowing items not already permitted within the district. Before these changes were made this would have been considered spot zoning.

Mayor Brown said this is a valuable addition to the community, using the Ingles located off Russ Avenue as an example of the improvements, and Ingles was applauded for adding the drainage. Once the conditional district is approved Ingles will have two years to develop the property. If not completed within the two years, or if significant changes are made, Ingles would be required return to the Board for additional approval.

Alderman Freeman made a motion, seconded by Alderman Roberson, to find the proposed rezoning request consistent with the 2020 Land Development Standards as presented. The motion carried unanimously.

Alderman Caldwell made a motion, seconded by Alderman Freeman, to approve Ingles Markets, Inc., request for a Conditional District based on the submitted site plan and draft ordinance, as presented. The motion carried unanimously.

C. NEW BUSINESS

6. Request Support for Proposed Additional 2% Occupancy Tax

Haywood County TDA currently collects a 4% occupancy tax on short term rentals in Haywood County. 3% of the funds go directly to the TDA for marketing the county as a destination. The remaining 1% is distributed back to the zip code area where it is collected for the zip code area to utilize the funds for marketing and tourism related expenses.

The proposed Tourism Product Development Fund (TPDF) would provide financial assistance for major tourism capital projects that would drive tourism to Haywood County generating overnight stays in accommodations and creating economic impact. The funds for the capital projects would be generated through occupancy taxes paid by visitors to Haywood County. Tourism in Haywood County represents a \$259.43 tax savings to each county household.

Lynn Collins, Haywood County TDA Executive Director, presented the request to the Board to add a 2% Occupancy Tax for Tourism Product Development. Ms. Collins said this was attempted a couple of years ago but was unsuccessful. In the proposal there are two major changes from the previous request. One change is the distribution method for the net proceeds from the increase. 50% of the net proceeds would go into a general fund at TDA and eligible applicants could apply for grants. The remaining 50% of the net proceeds would be returned to the zip code area where it was collected for those areas to have their own pot of money to draw from for projects in their area, similar to the 1% that is already set up. Alderman Feichter asked how the grants would be administered. Ms. Collins said the TDA would consult with the zip code area on their proposed project and send their recommendation to the Haywood County Commissioners for approval. Funds will be administered by the TDA. The other change is that the independent committee has been eliminated.

Ms. Collins further explained how the occupancy tax is distributed and the amount of dollars that could be generated by the additional 2% collected. Surrounding areas, including Asheville and Cherokee, have higher occupancy tax rates and enjoy more money for tourism projects. The TDA has plans to survey visitors to gather information regarding what they would like to see and do in the area. Responses are currently received from people that would like to see a splash pad added to the area. Many people enjoy Waynesville's skate park. Proposed projects should reflect what visitors would like to see or do while visiting the area. The additional 2% could bring more jobs and people to the area.

Alderman Feichter felt that this is critical and without the additional funds it would be like operating with "one hand tied behind our back" in relation to other communities around us.

A motion was made by Alderman Roberson, seconded by Alderman Caldwell, to support the legislation of an additional two percent (2%) Occupancy Tax for establishing a Tourism Product Development Fund and approve the Haywood County Tourism Development Authority (HCTDA) Product Development Fund Policy and Process Guidelines. The motion carried unanimously.

7. Story Walk Agreement for the Waynesville Recreation Center Walking Trail

Haywood County Public Library will install and maintain a story walk around the walking trail at Vance Street Park, 550 Vance Street in Waynesville. The installation is contingent upon Haywood County Public Library being awarded a Medford grant administered by the Community Foundation of Western North Carolina. The purpose of the "story walk" is to promote literacy, family recreation and healthy lifestyle in Haywood County. Attractive displays featuring a children's story book will be placed along the walking trail that will allow kids with their guardians to walk and read while enjoying the trail.

Sharon Woodrow, Haywood County Library Executive Director and Jeff Kuhlman attended the meeting to explain the project and present an example of a display. Pages of a children's book would be displayed along the walking trail and the books would change over time. Families could walk and read the book together. This is popular around the Country right now and libraries are getting involved in

these projects. Mayor Brown commented that this collaboration is important to move forward, adding that the project is a wonderful idea.

Alderman Roberson made a motion, seconded by Alderman Freeman, to approve the Memorandum of Agreement between Haywood County Public Library and the Town of Waynesville for the installation and maintenance of the story walk at 500 Vance Street, as presented. The motion carried unanimously.

8. Authorization to Advertise 2016 Delinquent Property Taxes

The tax office requests authorization be granted to advertise all 2016 delinquent property taxes in the local newspaper, *The Mountaineer*, as required by NCGS §105-369. These are taxes that were billed on property values as of January 1, 2016, which became due as of September 1, 2016 and delinquent as of January 6, 2017. After the approval of the Board, a target date of March 3, 2017 has tentatively been set for the delinquent ad. This date may change due to scheduling with the newspaper.

Tax Collector James Robertson presented the request to advertise delinquent taxes. He explained that delinquent letters were mailed February 2 and to date \$48,000 in additional tax revenue has been collected. The proposed date to advertise is March 3. This advertisement date could be delayed for another week if revenues continue to be received.

Alderman Freeman made a motion, seconded by Alderman Caldwell, to authorize staff to advertise all 2016 delinquent property taxes in The Mountaineer on or about March 3, 2017, as required by NCGS §105-369. The motion carried unanimously.

9. Award Formal Bid FBR 214-17 for Water Maintenance Department Vehicles

The adopted FY 16-17 annual budget included the purchase of two new dump trucks for the Water Department. On December 22, 2016 a Request for Proposal was distributed and bids were opened on Wednesday, January 18, 2017 at 2:00 p.m. Only two bids were received and evaluated. Upon review of the bids the apparent low bidder is Ken Wilson Ford of Canton, North Carolina in the amount of \$139,440.

Purchasing Supervisor Lisa Burnett explained that bids were sent out to six vendors on December 22, 2016, with only two vendors responding. Ms. Burnett explained that Ford prohibits any dealership from buying vehicles from them to sell if they cannot service the vehicle. Since Taylor Ford can't provide service for the vehicles they could not bid on the trucks. The bids came in slightly under budget and the purchase will remain under budget even with any additional costs for radios. The old trucks can be sold on Gov Deals unless it is determined that the Town needs to keep them.

Alderman Caldwell made a motion, seconded by Alderman Feichter, to award the bid for the purchase of two dump trucks in the amount of \$139,440.00 to the lowest, responsible, responsive bidder, Ken Wilson Ford of Canton, as presented. The motion carried unanimously.

10. Approval to submit a grant application to the State Historic Preservation Office Certified Local Government Program for the purpose of conducting a survey of resources historically associated with Waynesville's African American community.

The Town of Waynesville Historic Preservation Commission is making this request for the purpose of identifying and documenting historic resources within Waynesville's oldest and most in-tact, African-American neighborhood along Pigeon Street and in other locations. This research would identify structures and locations of historic and/or architectural significance and evaluate the possibility of developing a nomination to the National Register for particular sites or an historic district. Information gathered could be used in future historical markers and interpretive signage such as what the Town may want to place within a future park at Calvary Street. CLG grants require a 40% match, or \$4,000 toward a \$10,000 study project with a grant request of \$6,000.

Development Services Director Elizabeth Teague was available to answer questions and provide further information if needed. Mayor Brown added a point of interest that the East Street Park property was once owned by an African American resident of Waynesville.

A motion was made by Alderman Freeman, seconded by Alderman Roberson, to direct staff to prepare an application to the Certified Local Government Grant program of the State Historic Preservation Office, as presented. The motion carried unanimously.

D. COMMUNICATIONS FROM STAFF

11. Proposed Service Agreement for Legal Services involving potential litigation

Town Manager Rob Hites explained that the Town is frequently involved in actions that may result in litigation. While Waynesville staff is enforcing the minimum housing ordinance, land owners refer the action to their attorneys. Any appeal of their actions will ultimately be held in Superior Court. It would be very helpful for the Town to have an attorney familiar with litigation to meet with opposing counsel rather than the Town staff.

The Police encounter structures where numerous illegal activities take place. Should property owners refuse to remedy the situation the Police may petition the Superior Court to have the properties closed and become vacant. Having an attorney that is familiar with the process would help the Police to approach the property owners and District Attorney in cases where they have not been successful in having the property owners cooperate with the staff.

Attorney Griffin and Mayor Brown have recommended that Mr. William Cannon be approached with this issue, since he and his staff have worked with the Town in prior years and are familiar with both code enforcement and the laws involving places that harbor habitual felons. Attorney Griffin and Manager Hites met with Attorney Cannon and his partner and they are willing to provide this service on an “as needed basis”. It is not proposed to engage them on a retained basis.

Alderman Feichter made a motion, seconded by Alderman Roberson, to approve the proposed contract with Cannon Law, P.C., for legal services involving potential litigation, as presented. The motion carried unanimously.

E. ADJOURNMENT

Alderman Caldwell made a motion, seconded by Alderman Feichter, to adjourn the meeting at 8:45 p.m. The motion carried unanimously.

ATTEST

Gavin A. Brown, Mayor

Robert W. Hites, Jr., Town Manager

Phyllis R. Rogers, Retired Town Clerk

Amanda W. Owens, Town Clerk

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: February 28, 2017

SUBJECT: Call for a Public Hearing to be held on March 14, 2017 to consider a text amendment to the Town of Waynesville Ordinances regarding temporary signage, Land Development Standards Section 11.5.12.

AGENDA INFORMATION:

Agenda Location: Call for Public Hearing
Item Number: 3-B
Department: Development Services
Contact: Elizabeth Teague, Development Services Director
Presenter: Elizabeth Teague, Development Services Director

BRIEF SUMMARY: This request is being made by the Town Planning Board in response to the 2015, U.S. Supreme Court decision in the case entitled *Reed v. Town of Gilbert, Arizona* in which the Court determined that if an enforcement official has to read the content of a sign to determine whether its size and location are permitted, the local ordinance is unconstitutional. More background available at the UNC Institute of Government blog <http://canons.sog.unc.edu/sign-litigation-a-brief-analysis-of-reed-v-town-of-gilbert/>), and on Wikipedia at: https://en.wikipedia.org/wiki/Reed_v._Town_of_Gilbert. At their February 20, 2017 Meeting, the Planning Board voted unanimously to recommend to the Aldermen that the proposed changes were Consistent with the 2020 Comprehensive Land Use Plan and to amend the text of the Town's sign ordinance as presented.

MOTION FOR CONSIDERATION:

To Call for a Public Hearing to be held on February 28, 2017 at the Board of Aldermen Meeting at 6:30 pm in order to consider the proposed changes to the Sign Ordinance.

FUNDING SOURCE/IMPACT: N/A

ATTACHMENTS:

1. February 20, 2017 Planning Board staff report with proposed changes to the Town's sign ordinance.

MANAGER'S COMMENTS AND RECOMMENDATIONS: Only action is call for public hearing

Planning Board Staff Report

Subject: Text Amendment to the Land Development Standards regarding Political Signs
Ordinance Section: 11.5.12
Applicant: Town of Waynesville
Meeting Date: February 20, 2016

Background:

In June 2015, the U.S. Supreme Court issued a decision in the case entitled *Reed v. Town of Gilbert, Arizona*. The case involved Gilbert, Arizona which adopted a municipal sign ordinance that regulated the manner in which signs could be displayed in public areas in 2005. The town's sign code identified various categories of signs based on the type of information they conveyed, and then subjected each category to different restrictions. One of the categories was "Temporary Directional Signs Relating to a Qualifying Event," loosely defined as signs directing the public to a meeting of a nonprofit group. When the town cited a local church for violating the ordinance, the church filed a lawsuit in which they argued the town's sign regulations violated its First Amendment right to the freedom of speech.

The Supreme Court unanimously held that that this distinction was a content-based regulation of speech that could not survive strict scrutiny because the sign ordinance imposed more stringent restrictions on one category of signs than on signs conveying other messages. As a result of this decision, content or message contained on a sign cannot be used to determine its legality, or to regulate it more restrictively than any other type of sign allowed within the jurisdiction. The Court decision held that if an enforcement official has to read the content of a sign to determine whether its size and location are permitted, the local ordinance is unconstitutional. More background available at the UNC Institute of Government blog <http://canons.sog.unc.edu/sign-litigation-a-brief-analysis-of-reed-v-town-of-gilbert/>), and on Wikipedia at: https://en.wikipedia.org/wiki/Reed_v._Town_of_Gilbert.

This version of the text amendment to the Sign Ordinance, LDS Section 11.5.12, responds to discussion from the November and December meetings of the Planning Board. At those meetings, staff proposed that the signs regulated by "content" were temporary signs. Staff recommended taking a narrow approach in response to *Gilbert*, and only changing that text of the sign ordinance that could be construed to be content-based. Any new suggested text since the last meeting is in red.

The Planning Board expressed concern about including political signage into the text amendment because of possible conflicts with freedom of expression. There was also discussion about not wanting to limit the number or placement of political signs on private property. The Planning Board concluded that, because political signage is specifically addressed in the North Carolina Statutes (see attached), they would recommend quoting the existing State Statutes rather than include political signage as part of the Town's response to the Supreme Court Case of *Reed v. Town of Gilbert*. Therefore, this draft defers to the State in regards to political signage, but defers to the *Gilbert* Court Case in all other types of temporary signs.

Consistency with the 2020 Comprehensive Land Use Plan:

The 2020 Comprehensive Land Use Plan includes the objective to: “Address important community appearance issues in the land development regulations for Waynesville.” (pp 4-5). The specific action under this objective is to: “Review and revise the town's sign ordinance to improve the appearance of signage in the community.” Accordingly, the purpose and need statement of the Town’s current ordinance, Chapter 11, reads:

The purpose of this section and the other sign standards contained in this chapter, is to support and complement the various land uses allowed in the Town of Waynesville by the adoption of standards concerning the placement of signs. These standards are adopted under the zoning authority of the Town to achieve the following:

- To encourage the effective use of signs as a means of communication in the Town while preserving the rights of free speech under the First Amendment to the United States Constitution.
- To maintain and enhance the aesthetic environment and the Town's ability to attract sources of economic development and growth.
- To improve pedestrian and traffic safety.
- To minimize the possible adverse effect of signs on nearby public and private property.

In suggesting this text amendment, the Planning Board understands that there is not a precedent of interpretation or guidance provided by the courts in how local ordinances should respond. Therefore this ordinance may change again in the coming months or years as more case law is developed around the Supreme Courts decision. However, the goals in developing these revisions are to keep the Town compliant and up to date with the current interpretation of laws, while staying consistent the purpose and intent of the Town’s Sign Ordinance and Comprehensive Land Use Plan. The amendments as proposed do not change the Town’s purpose and need for the ordinance, and is consistent with the objectives of the Comprehensive Plan.

Suggested Motion:

- 1) Motion to recommend that the proposed text amendment is consistent with the Town’s Comprehensive Land Use Plan.
- 2) Motion to recommend that the Signage Draft as provided (or as amended) to the Board of Aldermen as a text amendment.

11.5 - Signs Not Requiring a Permit.

11.5.1-10 remain the same. Real Estate, Special Event, Yard Sales, and Promotional/Special Events are combined with other temporary signs to eliminate their distinction by content.

~~11.5.11 Real Estate Signs~~

- ~~A. Only one (1) sign is allowed per street frontage.~~
- ~~B. Such signs may not be illuminated.~~
- ~~C. Such signs may be no greater than four (4) square feet in area (all types of signs) and four (4) feet in height (if freestanding) when located on a residential property.~~
- ~~D. Such signs may be no greater than thirty-two (32) square feet in area (all types of signs) and eight (8) feet in height (if freestanding) for non-residential properties, except that such signs may not exceed the maximum height and size for permanent signs within the district.~~
- ~~E. Real estate signs shall be removed within seven (7) days after the closing of the sale, rental or lease of the property.~~
- ~~F. Such signs shall only be located on property for sale or lease.~~

11.5.11 Temporary Signs are allowed for uses permitted by Section 4.6 provided that the duration shall be the same as that of the specific, permitted temporary use and for the purpose of yard sales, real estate, mobile vendors, special events or other signage of a temporary nature not otherwise addressed elsewhere in this ordinance.

A. General Requirements for temporary signs:

- 1. Such signage shall be limited to the time period for the project or purpose it describes and **must be installed no more than 10 days before an event and removed within ten (10) days upon completion of the project or event, unless otherwise permitted or as specified in this section.***
- 2. Such signage shall not be placed on any Town property or Park without the permission of the Town Manager.*
- 3. Off-premise signs are prohibited.*
- 4. Temporary signs **that encroach** in a public or private right of way shall not create a safety hazard or impediment to use of the right-of-way, including:*
 - a) Such signs shall not be placed in a way as to interfere with pedestrians, cyclists, or motorists' access along rights-of-way, nor be placed so as to interfere with the line-of-sight of any motorist, or be placed in any way that creates a safety hazard for any mode of transportation.*
 - b) Such signs shall be placed a minimum of three (3) feet from any curb or edge of pavement.*

- c) Such signs shall not be placed within a Town maintained sidewalk or greenway.*
- d) Such signs shall not be attached to trees or utility poles.*
- e) Such signs shall not be illuminated unless they are part of an existing billboard or compliant sign structure that is already illuminated.*
- f) Such signs shall be of break-away or flexible material unless they are part of an existing billboard or compliant sign structure.*
- g) Such signs shall be limited to six (6) square feet in area and four (4) feet in height, or the maximum of the District in which it is located, whichever is less.*

- 5. *Regulations regarding temporary signs on private property shall comply with the dimensional requirements for a permanent sign of the same type in the district in which the sign is erected.*
- 6. *One (1) per property per street frontage.*
- 7. *May be either a Ground Sign, or Attached Sign.*
- 8. *Moveable Signs are expressly prohibited.*
- 9. *Banner type signs shall not be permitted within any district listed on the National Register of Historic Places.*

B. Window Signs: Temporary signs which are affixed to the inside of a window. Such signs shall not exceed 50% of the window area except within designated National Register Historic Districts where such signs shall not exceed 25% of the window area.

- ~~C. Special Event Signs: Signs may be erected by public or non-profit organizations such as schools and churches for promoting special events as follows:~~
- ~~1. Signs for public events such as fund drives, fairs, festivals, sporting events, etc. may be displayed for a period of thirty (30) days.~~
 - ~~2. The maximum size and height shall be the same as established for a permanent sign of the same type in the district in which the sign is erected.~~

~~C. Yard Sale Signs~~

- ~~1. Such signs may be located on premises only and may not be located within a public right of way nor placed on a tree, street sign or utility pole.~~
- ~~2. Such signs may not be illuminated.~~
- ~~3. Yard sale signs are limited to four (4) square feet in area and four (4) feet in height.~~
- ~~4. One (1) yard sale sign is allowed per street frontage.~~
- ~~5. Such signs may be displayed no more than one day in advance of the sale and be removed the day following the sale.~~

C. Vehicular Signs: signs not prohibited under Section 11.8.11 displayed on vehicles and equipment which are being operated in the normal course of business, such as signs indicating

the name of the owner or business and which are affixed or painted onto such vehicles or equipment, provided that when not being so operated, such vehicles are parked or stored in areas appropriate to their use as vehicles and in such a manner and location so as to minimize their visibility from any street to the greatest extent feasible.

D. Ball Field Fence Signs: nonprofit organizations, i.e., local ball leagues, may attach signage to ball field fences providing the following requirements are met:

1. Sign panels must be of uniform size and weather durable material and cannot exceed three feet by five feet in dimension.
2. Signage must be attached to the interior (ball field) of the chain link fencing, have advertising copy on only the interior (ball field) side of fencing and cannot be self-illuminated.
3. Where adjacent properties are in residential use the back (exterior) side of the sign must be a dark solid color and be uniform in color with all the other signs.
4. All signs must be kept clean and in good repair.
5. Signage cannot exceed one per fence panel.
6. Sign must be uniform in height.
7. Signage can be erected two weeks prior to the beginning of the ball season and must be taken down within two weeks from the conclusion of the season.
8. The organization or tenant leasing the property will be responsible for installing and removing the signs.

E. Decorative Flags (except American Flags) shall be counted towards the maximum signage square footage for Attached Signs permitted in the district. Only one (1) flag for every 25 feet of linear building frontage is permitted. All such flags on a single building face shall count as one of the three (3) permitted Attached Signs permitted on that building face.

G. ~~Promotional/Special Event Signs~~

- ~~1. One (1) per property per street frontage~~
- ~~2. May be either a Ground Sign, or Attached Sign~~
- ~~3. The maximum size and height shall be the same as established for a permanent sign of the same type in the district in which the sign is erected.~~
- ~~4. Duration: may be displayed on one (1) occasion in any three (3) month period for a maximum of fourteen (14) consecutive days or on one (1) occasion in any six (6) month period for a maximum of thirty (30) consecutive days.~~
- ~~5. Permit required: a permit application shall be submitted indicating the size, content, location and dates of erection and removal. The permit fee shall be the same as that for a corresponding permanent sign as established by the Schedule of Fees and Charges except there shall be no fee for public or non-profit organizations such as schools and churches for promoting special events such as fund drives, fairs, festivals, sporting events.~~
- ~~6. Moveable Signs are expressly prohibited.~~
- ~~7. Banner type Promotion/Special Event Signs shall not be permitted within any district listed on the National Register of Historic Places.~~

11.5.12. Political Signs (rev. 9/11/12)*

1. Duration: such signs may be displayed during a period beginning thirty (30) days prior to the beginning date of "one-stop" early voting under G.S. 163-227.2 and concluding ten (10) days after the primary or election day immediately following.

2. Placement:

- a) No sign shall be permitted in the right-of-way of a fully controlled access highway.
- b) No sign shall be closer than three (3) feet from the edge of pavement of the road.
- c) No sign shall obscure motorist visibility at an intersection.
- d) No sign shall be higher than 42 inches above the edge of pavement of the closest road.
- e) No sign shall be larger than sixteen (16) square feet.
- f) No sign shall obscure or replace another sign.
- g) No sign shall be attached to a utility pole.

~~a. Permission: such signs may only be located on private property with the permission of the property owner. When located in the public right-of-way in front of residences, businesses or religious institutions the permission of the property owner shall be obtained.~~

3. Illumination: such signs may not be illuminated.

11.5.13 Construction Signs

- ~~A. Construction signs shall be allowed provided such signs do not exceed one (1) sign per street frontage with a maximum of two (2) signs per construction site.~~
- ~~B. Such signs shall not exceed four (4) square feet in area and four (4) feet in height for single-family or duplex residential construction or thirty-two (32) square feet in area and eight (8) feet in height for other construction.~~
- ~~C. Construction signs shall not be erected prior to the issuance of a building permit and shall be removed within seven (7) days of the issuance of a certificate of occupancy on the last building in the development.~~

***Political Signs are expressly regulated by the State and the Town of Waynesville's Ordinance is taken directly from NC General Statutes. Until such time as the State of North Carolina amend or directs changes to local ordinances regarding political signage, the Town is opting not to address this section of temporary signage in response to *Reed v. Town of Gilbert*.**

§ 136-32. Regulation of signs.

(a) Commercial Signs. - No unauthorized person shall erect or maintain upon any highway any warning or direction sign, marker, signal or light or imitation of any official sign, marker, signal or light erected under the provisions of G.S. 136-30, except in cases of emergency. No person shall erect or maintain upon any highway any traffic or highway sign or signal bearing thereon any commercial or political advertising, except as provided in subsections (b) through (e) of this section: Provided, nothing in this section shall be construed to prohibit the erection or maintenance of signs, markers, or signals bearing thereon the name of an organization authorized to erect the same by the Department of Transportation or by any local authority referred to in G.S. 136-31. Any person who shall violate any of the provisions of this section shall be guilty of a Class 1 misdemeanor. The Department of Transportation may remove any signs erected without authority or allowed to remain beyond the deadline established in subsection (b) of this section.

(b) Compliant Political Signs Permitted. - During the period beginning on the 30th day before the beginning date of "one-stop" early voting under G.S. 163-227.2 and ending on the 10th day after the primary or election day, persons may place political signs in the right-of-way of the State highway system as provided in this section. Signs must be placed in compliance with subsection (d) of this section and must be removed by the end of the period prescribed in this subsection.

(c) Definition. - For purposes of this section, "political sign" means any sign that advocates for political action. The term does not include a commercial sign.

(d) Sign Placement. - The permittee must obtain the permission of any property owner of a residence, business, or religious institution fronting the right-of-way where a sign would be erected. Signs must be placed in accordance with the following:

- (1) No sign shall be permitted in the right-of-way of a fully controlled access highway.
- (2) No sign shall be closer than three feet from the edge of the pavement of the road.
- (3) No sign shall obscure motorist visibility at an intersection.
- (4) No sign shall be higher than 42 inches above the edge of the pavement of the road.
- (5) No sign shall be larger than 864 square inches.
- (6) No sign shall obscure or replace another sign.

(e) Penalties for Unlawful Removal of Signs. - It is a Class 3 misdemeanor for a person to steal, deface, vandalize, or unlawfully remove a political sign that is lawfully placed under this section.

(f) Application Within Municipalities. - Pursuant to Article 8 of Chapter 160A of the General Statutes, a city may by ordinance prohibit or regulate the placement of political signs on rights-of-way of streets located within the corporate limits of a municipality and maintained by the municipality. In the absence of an ordinance prohibiting or regulating the placement of political signs on the rights-of-way of streets located within a municipality and maintained by the municipality, the provisions of subsections (b) through (e) of this section shall apply. (1921, c. 2, s. 9(b); C.S., s. 3846(r); 1927, c. 148, ss. 56, 58; 1933, c. 172, s. 17; 1957, c. 65, s. 11; 1973, c. 507, s. 5; 1977, c. 464, s. 7.1; 1991 (Reg. Sess., 1992), c. 1030, s. 39; 1993, c. 539, s. 981; 1994, Ex. Sess., c. 24, s. 14(c); 2011-408, s. 1.)

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: February 28, 2017

SUBJECT: Request to approve the Interlocal Agreement with Haywood County to transfer property at Calvary and Craven Street for the purpose of a park and to authorize staff to proceed with demolition and clean up on the site.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 5-C
Department: Development Services
Contact: Rob Hites, Town Manager
Elizabeth Teague, Development Services Director
Presenter: Rob Hites, Town Manager
Elizabeth Teague, Development Services Director

BRIEF SUMMARY: This agreement will transfer ownership of lots with PINs 8615-45-7085 and 8615-45-7038 to the Town of Waynesville for the purpose of redeveloping the site as a neighborhood park. Staff recommends immediate demolition of the existing building and clean-up of this area to address policing and nuisance abatement needs.

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MOTION FOR CONSIDERATION:

1. Motion to approve the Interlocal Agreement and to authorize staff to proceed with building demolition and property clean-up.

FUNDING SOURCE/IMPACT: Demolition and clean-up may cost up to \$5,000 which may be charged to the Development Services Department budget.

ATTACHMENTS:

1. Area Map

MANAGER'S COMMENTS AND RECOMMENDATIONS:

INTERLOCAL COOPERATION AGREEMENT

THIS INTERLOCAL COOPERATION AGREEMENT ("Interlocal Agreement"), made and entered into this the ____ day of March, 2017, between Haywood County, North Carolina, a body politic and corporate, and a subdivision of the State of North Carolina (the "County"); and the Town of Waynesville, North Carolina, a municipal corporation of the State of North Carolina (the "Town").

WITNESSETH:

WHEREAS, the County and the Town are each Units of Local Government as defined by N.C.G.S. Section 160A-460, and as such, strive to co-operate in their various governmental functions for the best interests of their citizens and fiscal soundness of each Unit, the Town being the largest municipality within the County; and

WHEREAS, pursuant to Article 20, Chapter 160A of the General Statutes of North Carolina, Units of local government are authorized to participate in Undertakings thru the joint exercise of functions of local government; and

WHEREAS, among the important functions of local governments are recreational facilities for its citizens; and

WHEREAS, the purpose of this agreement is to share resources to assist the Town in the provision of certain recreational services for persons who are citizens of both Units; and

WHEREAS, the County has come into ownership of three (3) parcels of real property thru the tax foreclosure process, and desires as a governmental unit to sell to the Town, as another governmental unit, said real property, and the Town desires to acquire said property, all pursuant to and as authorized by Chapter 160A, Article 12, and specifically by N.C.G.S. Section 160A-274 (a), (b) and (c);

WHEREAS, said property has become a nuisance and eyesore to the community; and

WHEREAS, the County has expended approximately \$20,000 in the acquisition of the aforesaid parcels of property thru the tax foreclosure process.

NOW THEREFORE, IT IS AGREED BETWEEN THE COUNTY AND TOWN, AS FOLLOWS:

1. The County shall convey by Non-Warranty Deed to the Town in consideration of \$1.00, and other good and valuable consideration, the following tracts or parcels of real property:
 - (a) That 0.432 acre parcel of land described in Deed Book 862, Page 421, Haywood County Registry, Parcel No. 8615-45-7085; and
 - (b) That 0.16 acre parcel of land described in Deed Book 922, Page 1933, Haywood County Registry, Parcel No. 8615-45-7038; and
 - (c) That 0.17 acre parcel of land described in Deed Book 922, Page 1930, Haywood County Registry, Parcel No. 8615-45-8088.
2. The Town shall develop and utilize said property for an outdoor park, playground, parking lot and picnic facility; and shall fund the development necessary for such improvement thru funds from the Town, such development to occur over a period of approximately five (5) years; and

3. The Town shall assume control and security over said property and shall first remove the existing building and clean the site within six (6) months.
4. The deed for said property shall contain a possibility of reverter clause such that said property will revert to the County's ownership if the property ceases to be used for the purposes set forth above for a continuous period of six (6) months. The reverter can be brought into effect and activated by the unilateral action of the County.

IN WITNESS WHEREOF, the parties hereto have caused this Interlocal agreement to be executed after official action by each Unit of local government at a regular meeting of their respective Board of Commissioners and Board of Aldermen, the day and year first above written.

HAYWOOD COUNTY, NORTH CAROLINA

By: _____

J. W. "Kirk" Kirkpatrick III

Chairman of the Board of Commissioners

TOWN OF WAYNESVILLE

By: _____

Gavin A. Brown

Mayor of the Town of Waynesville

ATTESTED:

Ira Doe

Clerk to the Board of Commissioners and County Manager

ATTESTED:

Clerk to the Board of Aldermen

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: February 28, 2017

SUBJECT: Amendment #4 to the 2016-2017 Budget Ordinance and Amendment

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 6-C
Department: Water Treatment Plant
Contact: Eddie Caldwell, Finance Director. / David Foster, Public Services Director
Presenter: David Foster, Public Services Director / Eddie Caldwell, Finance Director

BRIEF SUMMARY: The attached amendment #4 to the 2016-2017 Budget Ordinance reflects the additional funding needed to finish the replacement and repairs to the filters at the Water Treatment Plant. After removing the filter media from the first filter basin and inspecting the concrete walls, we now realize that unforeseen change orders will be needed to replace more items than originally estimated and more repairs may be needed to fix any potential failures in the concrete walls.

General Fund Summary: (Amendment #4 to the 2016-2017 Budget Ordinance)

Revenues:

Charges to Customers (Water Charges)	\$85,000
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Expenditures:

Capital Outlays	\$85,000
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MOTION FOR CONSIDERATION: To approve Amendment No. 4 to the 2016-2017 Budget Ordinance.

FUNDING SOURCE/IMPACT:

Funding for this additional cost will come from the current year's water charges to customers. Revenues are running ahead of budget and are estimated to be well over \$85,000.

ATTACHMENTS:

- Amendment No. 4 to the 2016-2017 Budget Ordinance

MANAGER'S COMMENTS AND RECOMMENDATIONS: Approve as presented.

Ordinance No. 02-17

Amendment No. 4 to The 2016-2017 Budget Ordinance

WHEREAS, the Board of Aldermen of the Town of Waynesville, wishes to amend the 2016-2017 Budget Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Waynesville that the 2016-2017 Budget Ordinance be amended as follows:

Water Fund:

Increase the following revenues:

Utility Revenues		
Water Charges	613700-453710	\$85,000
		<hr/>
Total Water Fund revenue increase		\$85,000

(Water revenues are running ahead of budget.)

Increase the following appropriations:

Water Treatment		
Capital Improvements	617122-545900	85,000

(Increased costs associated with the filter media replacement project at the Water Treatment Plant. After removing the filter media from the first filter basin and inspecting the concrete walls, we now realize that unforeseen change orders will be needed to replace more items that originally estimated and more repairs may be needed to fix any potential failures in the concrete walls.)

Total Water Fund appropriation increase		\$85,000
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Adopted this 28th day of February 2017.

Town of Waynesville

Gavin A Brown
Mayor

Attest:

Amanda W. Owens
Town Clerk

Approved As To Form:

Woodrow H. Griffin
Town Attorney

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: February 28, 2017

SUBJECT: Board Appointments to 1% Zip Code Subcommittee and Waynesville Housing Authority

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 7-C
Department: Administrative Services
Contact: Amie Owens, Assistant Town Manager
Presenter: Amie Owens, Assistant Town Manager

BRIEF SUMMARY:

Tourism Development Authority 1% Zip Code Subcommittee

There are two (2) vacancies on the 28785/28786 1% Zip Code Subcommittee representing the Town of Waynesville

Two applications were received:

- i. Angie Leatherwood
- ii. Tina Masciarelli

Waynesville Housing Authority

There is currently one (1) vacancy on the Waynesville Housing Authority Board – for an individual utilizing the services of the WHA.

Two applications were received:

- i. Patricia McLean
- ii. Mary Ann White

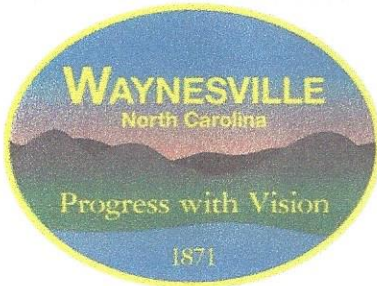
MOTIONS FOR CONSIDERATION: *To appoint [candidate's name] to [name of board/commission], as presented.*

FUNDING SOURCE/IMPACT: No costs associated with these appointments.

ATTACHMENTS:

- Application – Angie Leatherwood
- Application – Tina Masciarelli
- Application – Patricia McLean
- Application – Mary Ann White

MANAGER'S COMMENTS AND RECOMMENDATIONS: Board will vote via written ballot for appointments.



TOWN OF WAYNESVILLE, NORTH CAROLINA

Application for Appointment to

Boards/Commissions

Please return to the Town Clerk's office.

16 South Main Street, P.O. Box 100, Waynesville, NC 28786

(828) 452-2491

aowens@wayn

Additional Pages and/or a resume may be attached but is not required

NAME: **ANGIE GUY LEATHERWOOD**

STREET ADDRESS **588 Qualla Rd., Waynesville, NC 28785**

MAILING ADDRESS **588 Qualla Rd., Waynesville, NC 28785**

PHONE **828-734-5597**

E-MAIL **angie.guy.leatherwood@gmail.com**

Please consider me for appointment to the following board(s) or commission(s):

<input type="checkbox"/> Alcoholic Beverage Control Board	<input type="checkbox"/> Planning Board
<input type="checkbox"/> Community Action Forum	<input type="checkbox"/> Public Art Commission
<input type="checkbox"/> Board of Adjustment	<input type="checkbox"/> Recreation & Parks Advisory Commission
<input type="checkbox"/> Firemen's Relief Fund Board	<input type="checkbox"/> Waynesville Housing Authority
<input type="checkbox"/> Historic Preservation Commission	<input checked="" type="checkbox"/> 1% Zip Code Subcommittee (TDA)

I am interested in serving on this board or commission because: I would like to see the tourist industry in Waynesville and all of Haywood County continue to grow in order to produce more tourism dollars and more business and employment opportunities in the area. I want to see that the occupancy tax generated is used effectively to assist our area one in being one of the most visited areas in NC. I know the impact of tourism in a community and I know what can be achieved when we do the right things in the right ways.

I have experience/expertise in the following areas and/or have served on the following board or commission: I have 25 years of experience in tourism, hospitality lodging, dining, events, social media and marketing.

I feel that I can contribute the following to this board or commission: Along with passion, dedication and commitment to my hometown, my experience in the tourism and hospitality industry has provided me with 25 years of knowledge to assist in creating the right business opportunities and ideas for the area to grow. My mentors and peers continue to broaden my knowledge that will allow me to assist in our area's growth. By understanding what our area has to offer and the tourism industry, I know ways in which the occupancy tax can be utilized to benefit our area. I know that we can bring more people into the area and I know that we can offer the things needed only if the occupancy tax dollars are distributed and utilized in the correct and most beneficial ways. I have seen Waynesville and Haywood County's growth since the 1960's and I understand what we can do in order to not be left behind as surrounding areas move forward. We need to use the funds generated to bring more Baby Boomers, Gen X and Millennials to our area, as tourists and as future residents and employees.

Tell us about yourself and your background: I was born in Waynesville, grew up on Shelton St., attended Haywood County schools, and graduated from Tuscola in 1978. I attended East Tennessee State University in Johnson City. My husband, also a local resident, and I raised our daughter (she now lives in Atlanta) on our family farm in the Jonathan Creek Community. I have been employed previously with Food Services International (PGA/LPGA/Music Concerts/Celebration Events), Haywood County Schools and The Swag Country Inn. I am now the Events Coordinator at Wells Events & Reception Center.

If a vacancy exists and I qualify for appointment, I will be contacted for my permission to the appointment. If I am chosen, I will faithfully execute my duty on the selected board or commission.

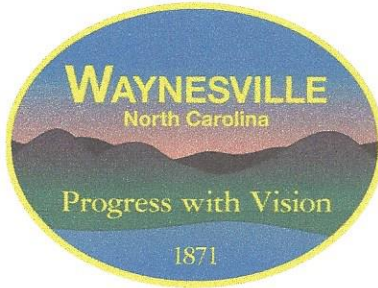
Signature

Angie Guy Leatherwood

2-21-17

Date

Upon appointment to a Board/Committee, the information contained herein becomes a matter of public



TOWN OF WAYNESVILLE, NORTH CAROLINA

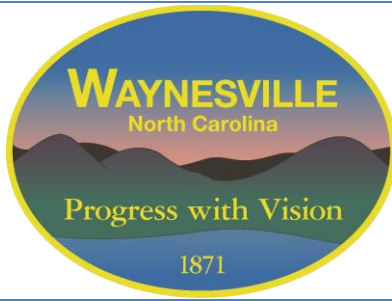
**Application for Appointment to
Boards/Commissions**

Please return to the Town Clerk's office.

**16 South Main Street, P.O. Box 100, Waynesville, NC 28786
(828) 452-2491 aowens@waynesvillenc.gov**

record per NCGS 132-1.

- Return Application to Town Clerk's Office -



TOWN OF WAYNESVILLE, NORTH CAROLINA

Application for Appointment to Boards/Commissions

Please return to the Town Clerk's office.

16 South Main Street, P.O. Box 100, Waynesville, NC 28786

(828) 452-2491

aowens@waynesvillenc.gov

Additional Pages and/or a resume may be attached but is not required

NAME: Tina Masciarelli

STREET ADDRESS: 31 Beverly Lane, Waynesville NC 28785

MAILING ADDRESS: Same as above

PHONE: 828.734.9574 (c)

E-MAIL: tina@sofiolpress.com

Please consider me for appointment to the following board(s) or commission(s):

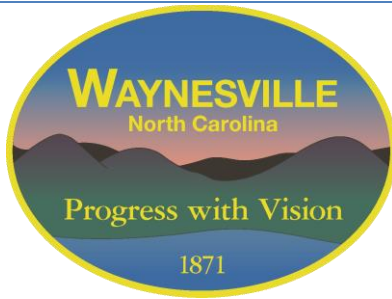
- | | |
|---|--|
| <input type="checkbox"/> Alcoholic Beverage Control Board | <input type="checkbox"/> Planning Board |
| <input type="checkbox"/> Community Action Forum | <input type="checkbox"/> Public Art Commission |
| <input type="checkbox"/> Board of Adjustment | <input type="checkbox"/> Recreation & Parks Advisory Commission |
| <input type="checkbox"/> Firemen's Relief Fund Board | <input type="checkbox"/> Waynesville Housing Authority |
| <input type="checkbox"/> Historic Preservation Commission | <input checked="" type="checkbox"/> 1% Zip Code Subcommittee (TDA) |

I am interested in serving on this board or commission because: I live and own a small business in the 28786-85 zip code. Thus, I have a vested interest in promoting Haywood County as a primary destination (beyond an afternoon "rest stop" en route to other popular tourism destinations in the southeast).

I have experience/expertise in the following areas and/or have served on the following board or commission: Beyond my master's level understanding of economic, environmental and social drivers for fostering sustainable communities, I have an extensive professional background in digital media, marketing and brand strategy. This includes travel/tourism writing and photography.

I feel that I can contribute the following to this board or commission: Over the five years I have served as marketing director at SOFIOL Press, I have gained a comprehensive understanding that marketing is more than a silver bullet. Rather, a successful brand is built through a collaborative process to discover, define, design and deploy focused campaigns leveraged by proven strategies. I have a successful record of building strategic marketing campaigns designed to get in front of trends and spring target demographic(s) into action. Lastly, I have an extensive record of building stakeholder investment at the local and regional level through a plethora of experiences (complete details on attached resume). This is a critical component of any successful campaign designed to stand the test of time.

Tell us about yourself and your background: As a native of Haywood County, I spent my formative years being educated in our public school system and shaped by the community around me.



TOWN OF WAYNESVILLE, NORTH CAROLINA

Application for Appointment to Boards/Commissions

Please return to the Town Clerk's office.

16 South Main Street, P.O. Box 100, Waynesville, NC 28786

(828) 452-2491

aowens@waynesvillenc.gov

After graduating from Pisgah High School, I went on to pursue higher education which took me to Appalachian State University then to Chicago, Illinois, where I completed a degree in Social Work and Women's Studies at Northeastern Illinois University. After a year interning at the Jane Adams Hull House - Uptown Youth Project, where I worked in three Chicago public high schools facilitating a teen dating violence program, I graduated Cum Laude. Post undergrad, I pursued a year of Americorps service as the Director of Social Services & Community Outreach at San Miguel Middle School in "Back of the Yards" community, south side Chicago. Along that road, I met and married my husband, Alex Masciarelli (a Massachusetts native).

When we decided to expand our family, there was no place that I wanted to raise our children more than "home" in Haywood County. My husband and I relocated to Haywood in 2000 where we are currently raising three daughters. My husband works as an assistant principal at Tuscola High School after teaching Spanish at Waynesville Middle for 15 years. I was very fortunate to stay home with our daughters full-time for nearly eight years, immersing them in the "community" and natural beauty in and around Haywood that were the cornerstones of my own childhood. When our youngest daughter started pre-school in 2008, I returned to the workforce serving as Recruiter, Instructor & GED Examiner in the Adult Education department at Haywood Community College (2008-2012). During that time, I also pursued my master's degree at night.

In 2011, I graduated from UNC Asheville with my Master of Liberal Arts degree. Energized by my graduate experience, in 2012 I founded SOFIOL Press, Inc., an innovative digital media and marketing company located in Waynesville. Please see my attached resume for more information about my skills, education, leadership, portfolio and professional references.

If a vacancy exists and I qualify for appointment, I will be contacted for my permission to the appointment. If I am chosen, I will faithfully execute my duty on the selected board or commission.

Tina Masciarelli

21 February 2017

Signature

Date

Upon appointment to a Board/Committee, the information contained herein becomes a matter of public record per NCGS 132-1.

- Return Application to Town Clerk's Office -

Tina Masciarelli

experienced. bold. driven.

Profile

Energetic digital media and marketing professional with extensive public relations and public speaking experience. Strong community outreach and networking background. Exceptional oral and written communication. Experienced working with diverse populations across all social, economic, educational and cultural demographics. Excellent organizational, time management, and multitasking skills. Solution focused thinker. Thrives working both independently and in team environments. Effective project manager with attention to detail. Successful record of building stakeholder investment at local and regional levels. Professional performance driven by creativity and research-based innovation.

Skills Summary

- Digital media, marketing, communications, and social media manager
- Brand strategist
- Web designer, content manager and organic SEO strategist
- Travel & tourism writer and photographer
- Extensive background working in print, public forum, film, and radio media
- Natural light portraiture, professional headshots and commercial photographer
- Experienced creative director for professional photo and print marketing
- Community organization and leadership
- Public relations and optics strategist
- Grant writing and funding manager

Experience

- **Founder & Marketing Director**, SOFIOL Press, Inc. (2012-present)
- **Project Coordinator**, Buy Haywood (2012-present)
- **Media & Marketing Manager**, Haywood County Chamber of Commerce (October 2014-January 2017)
- **Marketing & Public Relations Manager**, Canton Labor Day Festival (May 2015-September 2015)
- **Editorial Council & Contributor**, Plough to Pantry Magazine (March 2014-June 2016)
- **Recruiter, Instructor & GED Examiner**, Adult Education Department at Haywood Community College (2008-2012)
- **Counselor, Instructor & Green Initiatives Coordinator**, Alternative Learning Center (04/09-09/09)
- **Victim Advocate**, REACH of Haywood (2003-05)
- **Director of Social Services & Community Outreach**, San Miguel Middle School, Chicago (1999-2000)

Education & Leadership

- **Advisory Board Chair**, Master of Liberal Arts & Science at University of North Carolina at Asheville (2016-present)
- **Founding Member**, Richie's Alliance for Autism (2016-present)
- **Workwise Champion**, Haywood County Workwise Coalition (2016-present)
- **Advisory Council**, Plough to Pantry Magazine (2015-16)
- **Marketing & Fundraising Committee**, Folkmoot USA (2016)
- **5-2-1 Almost None Communications Team**, WNC Healthy Kids (2015-16)
- **Keeping Ourselves Company**, Advanced Creative Prose, Great Smokies Writing Program, University of North Carolina at Asheville (2012)
- **Safe Zone Ally**, Haywood Community College (2012)
- **Graduate Education Day Presenter**, NC State Legislature (2012)
- **Master of Liberal Arts**, University of North Carolina at Asheville (Class of 2011)
- **Leadership Haywood Class 17**, University of North Carolina at Asheville & Leadership Haywood (2005)
- **Spanish Language Studies**, Universidad de Guanajuato, Guanajuato, Mexico (1999)
- **Spanish Language Studies**, Centro de Idiomas, San Miguel de Allende, Mexico (1999)
- **Bachelor of Arts, Cum Laude in Social Work, Minor in Women's Studies**, Northeastern Illinois University, Chicago, Illinois (Class of 1999)

Portfolio Includes

- Buy Haywood
- Visit NC Smokies
- Haywood Economic Development Council
- Culinary & Wine Tours Argentina
- Great Smokies Review Literary Magazine
- The Swag
- Haywood County Chamber of Commerce
- Plough to Pantry Magazine
- WNC Magazine
- Blue Ridge Outdoors
- Town of Canton
- The Laurel of Asheville
- Richie's Alliance for Autism
- Haywood Community College

References

- **Dr. Gerard Voos**, Director of the Master of Liberal Arts & Sciences and Office of Graduate Studies, Continuing Education and Sponsored Programs at UNC Asheville / gvoos@unca.edu or 828.232.5040
- **Mark Clasby**, Executive Director of the Haywood Economic Development Council / mclasby@haywoodchamber.com or 828.456.3737
- **Patricia Smith**, Dean of the College & Career Readiness at Haywood Community College / psmith@haywood.edu or 828.627.4618

APPLICATION FOR APPOINTMENT TO BOARDS/COMMISSIONS

NAME MARY ANN WHITE
STREET ADDRESS 65 CHURCH ST. APT 501
MAILING ADDRESS SAME
PHONE cell 828-283-1140 Home 828-476-9238
E-MAIL MWHITEBETSY@GMAIL.COM

Please consider me for appointment to the following board(s) or commission(s):

<input type="checkbox"/> Alcoholic Beverage Control Board	<input type="checkbox"/> Planning Board
<input type="checkbox"/> Community Action Forum	<input type="checkbox"/> Public Art Commission
<input type="checkbox"/> Board of Adjustment	<input type="checkbox"/> Recreation & Parks Advisory Commission
<input type="checkbox"/> Firemen's Relief Fund Board	<input checked="" type="checkbox"/> Waynesville Housing Authority
<input type="checkbox"/> Historic Preservation Commission	

I am interested in serving on this board or commission because: I am available, willing to learn and would do whatever I can to help others in Waynesville Housing.

I have experience/expertise in the following areas and/or have served on the following board or commission: Nursing, Management.

I feel that I can contribute the following to this board or commission: I don't know what is done at a meeting but I'm willing to learn and help as much as I can.

Tell us about yourself and your background: I am 65 years old. I have 5 children. I have worked in Nursing and Management all my life. I moved to N.C. in 2014. I have lived in the Townes for approx 2 years.

If a vacancy exists and I qualify for appointment, I will be contacted for my permission to the appointment. If I am chosen, I will faithfully execute my duty on the selected board or commission.

Mary Ann White
Signature

2-14-2017
Date

Upon appointment to a Board/Committee, the information contained herein becomes a matter of public record per NCGS 132-1.

- Return Application to Town Clerk's Office -

APPLICATION FOR APPOINTMENT TO BOARDS/COMMISSIONS

NAME Patricia McLean
STREET ADDRESS 395 Boyd Ave Apt 302 Waynesville NC 28786
MAILING ADDRESS SAME
PHONE 828-507-2144
E-MAIL DNA

Please consider me for appointment to the following board(s) or commission(s):

<input type="checkbox"/> Alcoholic Beverage Control Board	<input type="checkbox"/> Planning Board
<input type="checkbox"/> Community Action Forum	<input type="checkbox"/> Public Art Commission
<input type="checkbox"/> Board of Adjustment	<input type="checkbox"/> Recreation & Parks Advisory Commission
<input type="checkbox"/> Firemen's Relief Fund Board	<input checked="" type="checkbox"/> Waynesville Housing Authority
<input type="checkbox"/> Historic Preservation Commission	

I am interested in serving on this board or commission because: WE NEED HELP
with our housing, AS per letter you ARE looking for a BOARD member
AND live on Boyd

I have experience/expertise in the following areas and/or have served on the following board or commission: USE TO WORK FOR WAYNESVILLE HOUSING WHEN FIRST STARTED
HAVE EXPERIENTS IN LAW, AIR FORCE

I feel that I can contribute the following to this board or commission I know our needs
AND what is wrong that needs made right

Tell us about yourself and your background: RAISED IN WAYNESVILLE, IN THE AIR FORCE,
WENT TO LAW SCHOOL, HAVE 1 CHILD AND GRAND CHILDREN CAN COME TO MEETING

If a vacancy exists and I qualify for appointment, I will be contacted for my permission to the appointment. If I am chosen, I will faithfully execute my duty on the selected board or commission.

Patricia L. McLean
Signature

2/6/17
Date

Upon appointment to a Board/Committee, the information contained herein becomes a matter of public record per NCGS 132-1.

- Return Application to Town Clerk's Office -