

Town of Waynesville, NC

Town Council Regular Meeting

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

Date: July 25th, 2023 Time: 6:00 p.m.

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(828) 452-2491 cpoolton@waynesvillenc.gov

A. CALL TO ORDER - Mayor Gary Caldwell

1. Welcome/Calendar/Announcements

B. PUBLIC COMMENT

C. ADDITIONS OR DELETIONS TO THE AGENDA

D. 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.

2.
 - a. June 27th, 2023 Regular Scheduled Meeting Minutes
 - b. Downtown Waynesville Commission Labor Day Special Event Permit
 - c. Appalachian Adventure 2023 Special Event Permit
 - d. Fiscal Year 2022-2023 Carryforwards

Motion: To approve the consent agenda as presented.

E. PRESENTATIONS

3. ABC Board Annual Report
 - Danny Wigate, ABC Board Chair
4. Remembering K9 ARCO
 - Police Chief David Adams

F. CALL FOR PUBLIC HEARING

5. Call for a public hearing for August 8, 2023, to consider a revised Community Development Block Grant (CDBG) application for \$1,400,000 in utility infrastructure improvements in South Waynesville.
- Karen Kiehna, McGill and Associates

Motion: Motion to Call for the Public Hearing for August 8th, 2023.

G. OLD BUSINESS

6. Reappointment of Planning Board and Zoning Board of Adjustment Members
- Jesse Fowler, Assistant Town Manager

Motions:

1. **Motion to reappoint Tommy Thomas and Stuart Bass to the Planning Board.**
2. **Motion to reappoint Bob Herman to the Zoning Board of Adjustment.**

7. Appointment to the Waynesville Housing Authority
- Jesse Fowler, Assistant Town Manager

Motion: To appoint Sandra Arnold to the Waynesville Housing Authority

H. NEW BUSINESS

8. Establish an “Environmental Sustainability Board”
- Councilmember Chuck Dickson

Motion: Approve establishing an “Environmental Sustainability Board”.

9. Request by Councilmember Feichter for the Town to begin maintaining the medians in the State rights of way.
- Councilmember Jon Feichter

Motion: Direct the Town staff to begin maintaining the DOT medians within the Town limits.

10. Request to cease enforcement of “Temporary Sign’ enforcement within construction areas.
- Councilmember Jon Feichter

Motions:

1. **Request that the Town staff non enforce the prohibition of temporary signs in areas where traffic flow is limited by construction activity on the roadways.**
2. **Request the Town staff to cease enforcement of the Temporary Sign section of the Comprehensive plan until such time as the Town Council has reviewed it.**

11. A staff request to allow sign and building permits to be waived for businesses whose signs must be relocated or replaced due to NCDOT Project U-5839.

- Byron Hickox, Land Use Administrator

Motion: *To allow the Development Services Department to waive sign and electrical permit fees related to the relocation or replacement of signs that are impacted by NCDOT Project U-5839.*

12. Approve the purchase of a replacement street sweeper.

- Rob Hites, Town Manager

Motion: *Approve the purchase of a street sweeper for \$280,000 (the turn-key price includes, tags, title and town installed equipment such as radio and warning lights).*

13. Amendment to ARP Project Fund-Addition of Street Sweeper

- Misty Hagood, Finance Director

Motion: *Approve the ARP Budget Amendment.*

14. Resolution Approving Financing Terms

- Misty Hagood, Finance Director

Motion: *To approve the Resolution Approving Financing Terms.*

15. Budget Amendment for TDA Grant Awards

- Misty Hagood, Finance Director

Motion: *To approve the budget amendment as presented.*

16. Request for a double burial

- Rob Hites, Town Manager

Motion: *Refer the request to the Cemetery Committee for their recommendation.*

17. Appointment of Alcohol Beverage Control Board Applicant

- Jesse Fowler, Assistant Town Manager

Motion: *To appoint a new member to the Alcoholic Beverage Control Board.*

I. COMMUNICATION FROM STAFF

18. Manager's Report

- Town Manager, Rob Hites

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19. Town Attorney Report
- Town Attorney, Martha Bradley

J. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

K. ADJOURN



TOWN OF WAYNESVILLE

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CALENDAR July 2023

2023	
Friday, August 4 th	Mountain Street Dance-on Main Street in front of the courthouse 6-8:30pm and Art After Dark gallery stroll 6-9pm
Tuesday August 8 th	Town Council Meeting – Regular Session
Saturday, August 12 th	Hazelwood Hot Summer Nights 6-9pm
Tuesday August 22 nd	Town Council Meeting – Regular Session
Friday, September 1 st	Art After Dark gallery stroll 5:30-8:30pm
Monday September 4 th	Town Offices Closed – Labor Day
Tuesday September 12 th	Town Council Meeting – Regular Session
Saturday, September 23 rd	Power of Pink 5K-Frog Level 9-11am
Saturday, September 23 rd	Sarges 18 th Annual Dog Walk 9am-1pm Main Street
Tuesday September 26 th	Town Council Meeting – Regular Session
Friday, October 6 th	Art After Dark gallery stroll 5:30-8:30pm
Tuesday October 10 th	Board of Aldermen Meeting – Regular Session
Saturday October 14 th	Church Street Art and Craft Show 40 th Anniversary
Saturday, October 21 st	Apple Harvest Festival-Main Street 10am-5pm
Tuesday October 24 th	Town Council Meeting – Regular Session
Tuesday October 31 st	Treats on the Street
Friday, November 3 rd	Art After Dark gallery stroll 5:30-8:30pm
Friday November 10 th	Town Offices Closed- Veterans Day
Tuesday November 14 th	Town Council Meeting – Regular Session
Tuesday November 28 th	Town Council Meeting – Regular Session
Friday, December 1 st	Art After Dark gallery stroll 5:30-8:30pm and Christmas Tree Lighting
Monday, December 4 th	Christmas Parade
Saturday, December 9 th	Night Before Christmas
Tuesday December 12 th	Town Council Meeting – Regular Session
December 22 nd , 26 th	Town Closed – Christmas Holidays

Board and Commission Meetings – July 2023

ABC Board	ABC Office – 52 Dayco Drive	July 18 3 rd Tuesday 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	Cancelled 1 st Tuesday 5:30 PM
Cemetery Commission	Public Services Building	January, March-CANCELLED, July, and October 3 rd Tuesday 2:00 PM
Downtown Waynesville Commission	Municipal Building – 16 South Main Street	July 18 3 rd Tuesday 8:30 AM
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	July 5 1 st Wednesday 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	July 17 3 rd Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	July 13 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	July 19 3 rd Wednesday 5:30 PM
Waynesville Housing Authority	Main Office-48 Chestnut Park Drive	July 19 3 rd Wednesday 9:00 AM

MINUTES OF THE TOWN OF WAYNESVILLE TOWN COUNCIL

Regular Meeting

June 27, 2023

THE WAYNESVILLE TOWN COUNCIL held a regular meeting on Tuesday, June 27, 2023, 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 6:06 pm with the following members present:

Mayor Gary Caldwell
Mayor Pro Tempore Julia Freeman
Councilmember Chuck Dickson
Councilmember Jon Feichter
Councilmember Anthony Sutton

The following staff members were present:

Rob Hites, Town Manager
Jesse Fowler, Assistant Town Manager
Martha Bradley, Town Attorney
Candace Poolton, Town Clerk
Police Chief, David Adams
Misty Hagood, Finance Director
Byron Hickox, Land Use Administrator
Beth Gilmore, Director of Downtown Waynesville Commission (DWC)
Jeff Stines, Public Services Director

Members of the media:

Payton Renegar, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and reminded everyone that Friday, June 30th is the Mountain Street Dance 6-8:30pm in front of the courthouse, 4th of July is the Stars and Stripes Kids parade on Main Street, Town Offices will be closed on the 4th, and July 7th is Art After Dark.

B. PUBLIC COMMENT

Phillip Gibbs-59 Babb St, Waynesville: Mr. Gibbs said he represented the Pigeon Street Community and asked the Council to reconsider having a unisex bathroom at Obama-King Park. He said he had questions about the lack of funding and size of the space in the Obama-King Park and he would like to see more funding. He added that he was against social districts.

Lula Leigh-144 Bryson Street, Waynesville: Ms. Leigh said that she also represented Pigeon Street Community. She requested male and female bathrooms for safety and sanitation reasons.

Sharon Cullens- 174 Hillside Road, Waynesville: Ms. Cullens said she is a volunteer member of the park development committee. Ms. Cullens said she would like two bathrooms at Obama-King Park for sanitary reasons. She said the community would like to help fund the bathrooms.

C. ADDITIONS OR DELETIONS TO THE AGENDA

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to add item six (6), "End of Year Budget Amendments", to the consent agenda. The motion passed unanimously.

A motion was made by Councilmember Feichter, seconded by Councilmember Dickson, to move items seven (7), "Lease agreement for parking lot at intersection of Haywood and Church Streets", and eight (8), "Rate for EV Charging Stations", to the consent agenda. The motion passed unanimously.

D. CONSENT AGENDA

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2.
 - a. June 13th, 2023 Regular Scheduled Meeting Minutes
 - b. Lowell Street Block Party Special Event Permit
 - c. End of Year Budget Amendments
 - d. Lease agreement for Parking Lot at intersection of Haywood and Church Streets
 - e. Set an electric rate of \$.35 per kWh for the Town's EV "Fast Charger" service and no charge for its "Level 2" Chargers

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to approve the consent agenda as amended. The motion passed unanimously.

E. PUBLIC HEARINGS

3. Public Hearing: Social District Implementation Recommendations within the Downtown Municipal Service District.
 - Jesse Fowler, Assistant Town Manager and Beth Gilmore, Downtown Waynesville Director

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to open the public hearing at 6:17pm. The motion passed unanimously.

Director Beth Gilmore reported in September of 2021, Governor Cooper signed into law House Bill 280 – ABC Omnibus Legislation – giving municipalities the authority to establish "social districts" as designated areas

permitting the possession and consumption of alcohol in public spaces, under certain conditions. In July of 2022, Director Gilmore stated that House Bill 211 – Social District/Common Area Clarifications – was signed into law providing more detail concerning how social districts should be regulated. Together, she said that House Bills 890 and 211 allow cities and counties to create (and eliminate) a social district by ordinance. She said that the statutes require that social districts be restricted to clearly defined boundaries and operate under certain conditions, but it affords municipalities the discretion to decide specific details such as boundary lines, hours of operation, and procedural logistics.

Director Gilmore said that The Downtown Waynesville Commission (DWC) has taken several steps to better understand the Municipal Service District's (MSD) desires to either create or prohibit social districts within the MSD. Social district legislation was first introduced to the MSD during a public forum on May 25, 2022, and at a second public forum on September 15, 2022, where social districts were discussed as a primary agenda item. Since these two initial public forums, she reported that the DWC has distributed surveys throughout the MSD in order to hear more direct feedback from individuals who work, live, and own property and businesses within the district and received 100 responses in return. She added that the DWC has gathered anecdotal evidence from Municipalities across North Carolina to better understand the positive and negative effects of implementing social districts within their communities. Director Gilmore said that based on their findings through two public forums, district surveys, and communications with other social district communities, the Downtown Waynesville Commission voted at a special called meeting held on May 22, 2023, to recommend that the Town Council approve the implementation of a social district within the Downtown Municipal Service District (MSD) along the following parameters:

1. Time: The DWC recommends that a social district within the MSD be permitted during the hours of 10:00a.m. to 10:00 p.m., Monday through Sunday.
1. Logistics: The DWC recommends that a social district within the MSD function allowing ABC permit holders to sell alcoholic beverage in their own disposable cups with their establishment clearly identified on the cup, with the name of the social district clearly designated on the same cup with a sticker that is provided by the Town of Waynesville.
2. Location: The DWC recommends that a social district within the MSD be permitted from the intersection of Pigeon Street and Main Street to the intersection of Walnut Street and Main Street, including Church Street, Miller Street, and Depot Street from their intersections with Main Street to their intersections with Montgomery Street, further including East Street from its intersection with Main Street to its intersection with Wall Street, and further including Wall Street from its intersection with East street to its intersection with Wells Event Way.
3. State statute affords municipalities the ability to either permit or prohibit the consumption of alcohol purchased from one ABC licensed establishment within another separate ABC licensed establishment. The DWC did not vote upon a recommendation for the Town Council on this issue.

Councilmember Feichter asked for clarification on the boundary of the social district. Assistant Town Manager, Jesse Fowler, said the district would run from Pigeon to Walnut on Main Street, including side street, Church, Miller, and Depot, up to where they intersect with Montgomery. It would also include Wall Street from its intersections of East Street and to Wells Events Way.

Public Comment:

Trudy Schmidt-202 Harmonica Way, Waynesville: Ms. Schmidt said she works on Main Street and had questions about who will pay when customers spill alcohol on retail, who will clean up after people who vomit in the street, and if more police and trash cans will be provided.

Bob Cummings-229 Georgia Avenue, Waynesville: Mr. Cummings said he has worked with people who have addiction issues and knows what contributes to substance abuse, so he is against social districts. Mr. Cummings said that the recent rise in crime in Asheville is because it was designated as Beer City.

Bill Teague-105 Galloway Street, Waynesville: Mr. Teague said the shop owners on Main Street have no historical presence. He said the social district would be difficult to enforce and is against social districts.

Deannie Brooks-407 Boundary Street, Waynesville: Ms. Brooks said she is against social districts because of the possible increased crime rate. She asked that if Council votes yes, to please vote in a way that provides an out if the social district causes problems.

John Wadsworth-55 Buxton Street, Waynesville: Mr. Wadsworth said he drinks beer and wine. He asked Town Council what direction Waynesville is being taken and fears that Waynesville will end up like Asheville.

Malcom Spink-80 Fitzgerald Lane, Waynesville: Mr. Spink said he is from the United Kingdom and saw the negative impacts of 24-hour drinking being allowed, so he is against social districts.

Ellen Pitt-76 Blackberry Lane, Maggie Valley: Ms. Pitt said that drinking leads to a failure in judgement. She said she is against social districts.

Teresa Brothers-186 Water Rock, Waynesville: Ms. Brothers said that legislatures failed to put into place responsible policies that address public safety when they approved social districts. She said that social districts favor drinkers and are not inclusive to all members of the community.

Rick Johnson-95 Nye Way, Maggie Valley: Mr. Johnson said he works in town and is afraid that social district patrons will re-sell their cups to people.

Beth Johnson-95 Nye Way, Maggie Valley: Mrs. Johnson said she is afraid that people will park in the Presbyterian parking lot and is concerned that they will litter in the parking lot. She thinks allowing social districts in Waynesville will push tourists to go to Maggie Valley.

Kris Estep-479 Chambers Farm Lane, Canton: Mr. Estep asked Council to vote no on social districts. He cited bible verses that he said speak on the dangers of alcohol.

Janet Presson-49 Lodgepole Pine Lane, Waynesville: Ms. Presson said she owns residential and commercial properties in town limits but did not partake in the DWC survey. She said she is against social districts and that the town already has substance issues. She said that tourism is already booming, and social districts are not needed to bring people to Waynesville.

Stephanie Sutton-140 Valley View Terrace, Waynesville: Ms. Sutton said that she owns a business in Town and wants a family-friendly Waynesville. She said an online petition showed 403 signatures against social districts.

Sherry Morgan-437 Boundary Street, Waynesville: Ms. Morgan said she is against social districts. She said she spoke with 18 households who were against social districts, and only one said they were in favor. She said that she is afraid that social districts will make Waynesville less safe and have more litter.

Paula Eachus-700 Laurel Ridge Drive, Waynesville: Mrs. Eachus said she is a representative of the High-Country Republican Women's Club. She said she polled their membership and they unanimously voted no. She said she wants to see Waynesville stay family friendly.

David Eachus-700 Laurel Ridge Drive, Waynesville: Mr. Eachus said he is against social districts and doesn't think the sales tax revenue is worth it.

Kelly Teague-274 David Edwards Road, Waynesville: Ms. Teague said she understands the need for economic development but doesn't feel that social districts are the way to go about it. She has presented in D.C. on social districts and said there can be unintended consequences.

A motion was made by Councilmember Freeman, seconded by Councilmember Sutton, to extend the public hearing at 7:16pm. The motion passed unanimously.

William Kelley-480 Auburn Road, Waynesville: Mr. Kelley said he is against social districts and that drinking should be done in people's homes. He said he thinks Waynesville has sold out to tourism.

Charles Trump-66 North Main Street, Waynesville: Mr. Trump said he owns a business on Main Street, and it has been successful because it's ran on Christian principles. He said he's against social districts. He said he is concerned about who will clean up trash.

Joseph Lapari- 156 Johnson Hill Drive, Waynesville: Mr. Lapari said that he doesn't drink and doesn't want to be around people who drink, so he is against social districts.

Ted Carr-1812 Crooked Creek Road, Bethel: Mr. Carr said he doesn't drink, and right now he can choose to go to places that don't serve alcohol, but if this passes, he won't have a choice whether to be around alcohol or not.

Kim Walser-118 Jarvis Street, Waynesville: Ms. Walser said she is against social districts and thinks that Waynesville can do other things besides having a social district to boost the economy.

Jeremy Stevens-301 Cedar Park Drive, Waynesville: Mr. Stevens said that he heard a lot of demonizing and accusations that drinking is evil. He said he wants to hear logic, not opinions based heavily on emotion. He said the petition that private citizens did was very biased. He stated that Town Council appointed members of the DWC because Council trusts their recommendation. He asked Town Council to look at data, not emotion. He said that if data shows social districts are not a good idea, then do not vote for it.

Roy Kilby-441 Morgan Road Candler: Mr. Kilby said that he is against social districts because he thinks there will be more promiscuity and sexual inuendo.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to close the public hearing at 7:40pm. The motion passed unanimously.

Councilmember Dickson called a point of order and asked Mayor Caldwell to ask the audience to refrain from interrupting.

Councilmember Feichter said the Town Council should decide one way or another, regarding implementing a social district.

A motion was made by Councilmember Anthony Sutton, seconded by Councilmember Chuck Dickson, to postpone indefinitely. Councilmembers Dickson, Freeman, and Sutton, and Mayor Caldwell voted in the affirmative. Councilmember Feichter voted nay. The motion passed.

A recess was called at 7:44pm.

4. A Public Hearing to consider an Application for Text Amendment to Land Development Standards Section 5.10.2, Mixed-Use/Commercial Building Design Guidelines, Façade Materials
 - Byron Hickox, Land Use Administrator

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to open the public hearing at 8:03pm. The motion passed unanimously.

Land Use Administrator Byron Hickox reported that an applicant who purchased 494 Pigeon Street, has proposed a text amendment to section 5.10.2 of the Land Development Standards to add the phrase “*metal panels and siding*” to this list of permitted materials. Mr. Hickox read the section verbatim to Town Council. He added that the applicant asserts that the quality and appearance of metal siding has significantly improved since the adoption of the Land Development Standards and is now widely used in high quality applications and settings. Mr. Hickox said that at its meeting on May 15, 2023, the Planning Board voted unanimously that the proposed amendment is reasonable and in the public interest and voted unanimously to recommend approval of the text amendment as presented to the Town Council.

Councilmember Sutton asked if any “type” of metal would be allowed. Mr. Hickox said there must be complimentary materials, articulation, change in materials, and windows and doors-so the visible façade would not just be a giant metal wall.

Councilmember Feichter said he was curious about metal being used in the Historic District. Mr. Hickox said the ordinance could be adjusted so that use of metal in the Historic District would have to be approved by the Historic Preservation Commission with the issuance of a Certificate of Appropriateness. Mr. Hites added that architectural metal is defined and is of a higher quality than standing seam tin. He said they could prohibit standing seam tin in the ordinance.

Mr. Steve Coffey, the architect retained by applicant, said that the applicant was hoping to turn an existing building into a contemporary looking structure that looks cohesive. He said that he is going to use contemporary materials in a contemporary way. Mr. Coffey described in detail what his architectural plan is for the structure.

Councilmember Feichter asked what the life span of the metal material is that he planned on using. Mr. Coffey said 25-50 years, but he can find out specifically. He added that the wood composite material they plan on using as well has a lifespan of 45 years.

There was no public comment.

A motion was made by Councilmember Dickson, seconded by Councilmember Freeman, to close the public hearing at 8:31pm. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman to find that the proposed text amendment is consistent with the 2035 Comprehensive Plan, in that it is reasonable and in the public interest, specifically meeting the following Comprehensive Plan goals;

Goal 1: Continue to promote smart growth principles in land use planning and zoning.

- Create walkable and attractive neighborhoods and commercial centers.***
- Encourage infill, mixed-use, and context-sensitive development.***

Goal 5: Create opportunities for a sustainable economy.

- Promote the growth of existing local businesses and Waynesville’s “maker economy.”***
- Encourage creatively designed, mixed-use, walkable centers and commercial districts that appeal to residents and visitors.***

The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to approve the proposed text amendment as modified, so that:

- Metal panels and siding may be used as a facade material only on commercial buildings located within Neighborhood Center, Business, and Regional Center Districts.***
- Such metal panels and siding must consist of architectural-grade metal without a high-gloss finish. Standing seam metal panels may not be used as a façade material.***
- The use of metal panels and siding as a façade material within a National Register Historic District or Local Historic District must be approved by the Historic Preservation Commission with the issuance of a Certificate of Appropriateness.***

The motion passed unanimously.

F. OLD BUSINESS

5. Annual Paving List

- Rob Hites, Town Manager**

Town Manager Rob Hites reported that staff presented the annual paving contract at the last meeting and presented a list of streets to be paved. During the discussion, Mr. Hites said that the Council requested that

staff present a list of streets that were paved last year. Councilmember Feichter requested that staff study a portion of Sulfur Springs Street and report on its condition. Mr. Hites said the Town contracts with an engineering firm to rate the Town's streets in order of paving needs. He added that the Town will be allocated an estimated \$350,000 in Powell Bill paving funds from the State's gas tax. Mr. Hites said that when choosing the streets to be paved, the staff reviews the condition of the street, the traffic flow, and the cost in comparison with other streets on the list. As an example, Mr. Hites said the street may appear on the priority list but may only serve four dwellings, so the cost of repairing it versus a similar street with twenty dwellings is considered.

Mr. Hites said the reason that Woody Lane was not on the paving list was that it took up 18% of the total paving budget for a road that only has 20 houses on it. He recommended that the Council could vote to chip seal it.

Councilmember Feichter asked the staff to review the condition of Sulphur Springs Road from the bridge to Boyd Avenue. Mr. Hites reported that unlike the streets on the paving contract, Sulphur Springs Road carries a high traffic volume. He said that the condition of most of the street is rated as an "83" out of "100" with "100" being best. The section of Sulphur Springs Street from Smathers to Blink Bonnie is estimated to cost \$2,765 to repave. Given the cost, Mr. Hites said it could be switched with another street on the list.

A motion was made by Councilmember Freeman, seconded by Councilmember Dickson, to accept the staff's recommendation. The motion passed unanimously.

G. NEW BUSINESS

6. Scheduling interviews for the ABC Board applicants

- Jesse Fowler, Assistant Town Manager

Assistant Town Manager Jesse Fowler reported that the Waynesville ABC Board has one vacancy and both Mr. Jonathan Sears and Mr. Alex McKay have submitted applications to serve on the ABC Board. He said that according to the Boards and Commissions Rules and Procedures, Town Council must interview ABC Board applicants before appointing new members.

Councilmembers Dickson and Freeman agreed to interview the ABC applicants.

7. Council vote to determine ABC Board Chair

- Jesse Fowler, Assistant Town Manager

Assistant Town Manager Jesse Fowler reported that according to the Town's Boards and Commissions Rules and Procedures, the Town Council is responsible for voting to determine the Chair of the ABC Board. The current members of the ABC Advisory Board are as follows:

- Raymond Ezell
- Danny Wingate
- CeCe Hipps
- Katherine Smith

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to appoint Danny Wingate as the Chair of the ABC Board. The motion passed unanimously.

8. Appointment to the Waynesville Recreation Advisory Commission
- Jesse Fowler, Assistant Town Manager

Assistant Town Manager Jesse Fowler reported that the Waynesville Recreation Advisory Commission has four vacancies. If appointed, he said that Mr. Sears' term would begin July 1st, 2023, and end June 30th, 2026. He added that while not required, Mr. Sears does live in town.

A motion was made by Councilmember Feichter, seconded by Councilmember Dickson, to appoint Johnathan Sears to the Waynesville Recreation Advisory Commission. The motion passed unanimously.

9. Interview Logistics for Renewing Zoning Board of Adjustment and Planning Board Members
- Jesse Fowler, Assistant Town Manager

Assistant Town Manager Jesse Fowler reported that at the regular scheduled meeting of the Town Council on June 13, the Council voted to interview all the applicants who wished to renew their terms on the Zoning Board of Adjustment and the Planning Board. He asked for clarification as to which Council members wish to conduct the interviews, as well as the most convenient time to conduct them. He said that the members who need to be interviewed are as follows:

- Tommy Thomas (Planning Board)
- Stuart Bass (Planning Board)
- Robert Herrmann (Zoning Board of Adjustment)

Councilmembers Feichter and Sutton volunteered to interview Mr. Thomas, Mr. Bass, and Mr. Herrmann.

H. COMMUNICATION FROM STAFF

10. Manager's Report
- Town Manager, Rob Hites

Town Manager Rob Hites asked for input on from the Council on the family restroom for Obama-King Park. He said that the Obama-King Park is a neighborhood park, and the only one in the town where they have restrooms, and no others have restrooms. He said what makes Vance Park different is that it is a regional park, so the comparison is inaccurate. Mr. Hites said that there will have to be a re-design for two restrooms. He said that a retaining wall will also have to be built. Mr. Fowler said that he had been advised by the community that a request for two bathrooms would also be accompanied by a request for a gazebo, moving the horseshoe pits, and covering the horseshoe pits. Mr. Fowler said they're starting to run out of space. He said he's not sure if closing the road would provide enough space. Councilmember Feichter said that Walter Bryson has indicated that he would sacrifice some of his property to extend on street parking. Councilmember Dickson said if they expand the restroom building, it would take away from the area they'd like to add the other requests. Councilmember Sutton suggested having a community meeting to show options of what can

be done. Mr. Fowler said there have been multiple community meetings where it was demonstrated that all the buildings and structures desired at Obama-King Park would be unable to fit. Councilmember Feichter said he met with Mr. Gibbs and he would like to see two bathrooms, so he would like staff to re-design for two bathrooms, send it out to bid, and then Council would at least know the cost. Mr. Fowler said that staff would need the lot surveyed and site planned because they would need a retaining wall to accommodate two bathrooms.

11. Town Attorney Report

- Town Attorney, Martha Bradley

Town Attorney Martha Bradley said that with the Russ Avenue widening project, some businesses will have to relocate their signs. She added that many of those signs do not conform to Town ordinances and need to be updated. She said one of those businesses may file an appeal to administrative decision. She said Council may see more of those appeals as the project progresses.

I. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

Mayor Caldwell reminded Town Council of a meeting in Clyde at 120 Charles Street that's required for a county grant.

Councilmember Feichter said someone who lives on West Marshall Street contacted him and said that when the Russ Avenue project starts, he was concerned about drivers cutting through. Councilmember Feichter said that this person asked if the Town could pre-emptively install speed slowing measures. Mr. Hites said he will talk to the fire marshal and talk to Preston Gregg.

Councilmember Freeman thanked the Police Department, Public Works, and Jesse Fowler for helping with the Main Street Mile event.

J. ADJOURN

A motion was made by Councilmember Freeman, seconded by Councilmember Dickson, to adjourn at 9:06pm. The motion passed unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Candace Poolton, Town Clerk



Application for Special Events Permit

I. General Information

EVENT NAME: Labor Day Concert

EVENT DATE(S): September 2nd

Note: If event is more than three days in duration, and not in the public right-of-way, you will also need a temporary event permit. Contact the Waynesville Police Dept. at 828-456-5363 for more information.

LOCATION: Main Street (Pigeon St. to Church St.)

IF THIS EVENT IS A PARADE OR ROAD RACE: Please provide a full route description and map

SET-UP TIME (START/END): 4pm - 6pm

EVENT HOURS: 6-9pm

DISMANTLE HOURS (START/END): 9pm - 10pm

ESTIMATED ATTENDANCE: 300

BASIS ON WHICH THIS ESTIMATE IS MADE: other Events held Downtown

COMPREHENSIVE GENERAL LIABILITY INSURANCE REQUIRED: \$1,000,000. Please attach proof of insurance (or applicable rider).

II. Applicant and Sponsoring Organization Information

SPONSORING ORGANIZATION NAME: Dwc

ARE YOU A NON PROFIT CORPORATION? No Yes If yes, are you 501c(3) 501c(6) Place of Worship

APPLICANT NAME: Beth Gilmore TITLE: _____

ADDRESS: _____ CITY: Waynesville STATE: Nc ZIP: 28786

PHONE: (828) 550-8122 FAX#: _____ EMAIL: _____

ON-SITE CONTACT: Beth Gilmore TITLE: Director

ADDRESS: _____

PHONE #: _____ CELL PHONE #: _____ EMAIL: _____

III. Brief Description of Event

Concert and Food trucks

IV. Street Closure Request (Attach map of the Street Closure)

List any street(s) (or lanes of streets) requiring temporary street closure as a result of this event.
Include street name(s) indicating beginning and endpoints of the closing, day, date and time of closing and reopening:

- 1. Main Street at Church/East street Intersection
- 2. Main Street at Pigeon street Intersection
- 3.

V. Event Details

YES NO

- Does the event involve the sale or use of alcoholic beverages?
If yes, has the ABC permit been obtained? Yes No Please provide a graphic of the area where alcoholic beverages will be purchased or consumed (i.e. beer garden layout)
- Does the event involve the sale of food? _____
If "YES", has the health department been notified? Have you applied for a temporary permit?
- Will there be musical entertainment at your event? IF "YES" provide the following information:
Number of Stages: 1 stage Number of Band(s): 1 Amplification? yes
Note: If amplification is used, you will be required to perform a pretest for compliance with the noise ordinance.
- Do you plan to use an existing occupied building? Address _____
- Do you plan to use an existing vacant building? Address _____
- Will there be any tents or canopies in the proposed event site? Please provide the following information:
Approx. Number of Tents: _____ Will any tent exceed 400 sq. feet in area? NO YES
- Does the event involve the use of pyrotechnics? Explain _____
- Will you provide portable toilets for the general public attending your event? IF SO, how many and where will they be located? 2
- Will you require electrical hookup for the event? Generators? 130th
- Will you require access to water for the event? Explain _____
- Will admission fees be charged to attend this event? If "YES", provide the amount(s) of all tickets. _____
- Will fees be charged to vendors to participate in this event? If "YES", please provide the amount(s). _____
- Will signs and/or banners be displayed as part of the event? If "YES" have you applied for a sign permit? _____
- Will inflatable parade balloons be used for the event? Provide details if necessary.

VI. Additional Questions

How will parking be accommodated for this event?

Parking on Main Street and
around Downtown

Notes:

1. Parking and buildings involved may be examined for ADA compliance.
2. You may be required to provide a shuttle if the event places undue demands on surrounding parking areas.

How will trash be contained and removed during and after the event?

Load trucks

Extra Town Trash Cans around

Volunteers: Will you require Civilian Police Volunteers for your event?

Apply for this permit at least 60 days prior to your special event (30 days for a neighborhood street closing)

Return to:

Jesse Fowler, Assistant Town Manager
Town of Waynesville
16 S. Main Street, P.O. Box 100, Waynesville, NC 28786
Telephone: (828) 452-2491
Fax No.: (828) 456-2000
Email Address: jfowler@waynesvillenc.gov

VIII. Special Information for Applicants

- * Do not announce, advertise or promote your event until you have an approved and signed permit.
- * You will be required to notify property owners affected by the event at the time a special events permit is issued with a copy of any correspondence provided to the Town for the permit file.
- * **Only chalk may be used on streets – no permanent paint. No permanent alterations to the street will be permitted.**
- * The Town has an ordinance prohibiting the use of tobacco and e-cigarettes in the business districts and all parks of the Town. The Applicant is to communicate this information to all vendors and participants. Permanent signs are in place in these districts and parks.
- * The Town has an ordinance allowing animals at festivals. Any incidents should be reported to the Police Department.
- * The Applicant shall be responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing on-duty law enforcement officers, to appropriately police street closures. For festivals, the Applicant shall be additionally responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing city staff, including but not limited to: on-duty law enforcement officers, to provide internal festival security and for hiring and paying necessary emergency medical technicians.
- * The Assistant Town Manager, in consultation with the Waynesville Police Department, shall determine the number of officers needed to appropriately monitor street closures and for internal security, and with the Fire Department to determine the number of emergency medical technicians needed, and the time when such services shall commence and end.

FOR INTERNAL USE ONLY

Application received:

Application approved:

Application denied:



- Massie Furniture Company
- Church Street Depot
- The Scotsman Public House
- The Patio Bistro
- Smoky Mountain Dog Bakery
- Watami Sushi And Noodles
- Exxon
- Scoops Ice Cream
- The Fitness Connection
- Waynesville Police Admin
- Blue Ridge Beer House
- Logan's Home Depot
- Boomer's

CHURCH ST

N MAIN ST

Parked Car

Town of Waynesville

S MAIN ST

The Fitness Connection

Scoops Ice Cream

Exxon

Boom Truck

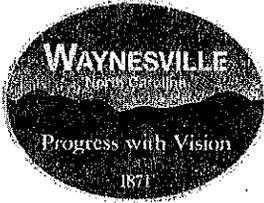
Waynesville Police Admin

WALL ST

S MAIN ST

- Food Trucks
- Stage
- Barricades
- Bleachers

70°
AQI 26



Application for Special Events Permit

I. General Information

EVENT NAME: Appalachian Adventure 2023

EVENT DATE(S): September 7-10, 2023 (Parade Sat. Sept 9th)

Note: If event is more than three days in duration, and not in the public right-of-way, you will also need a temporary event permit. Contact the Waynesville Police Dept. at 828-456-5363 for more information.

LOCATION: Waynesville Inn + Golf Club

IF THIS EVENT IS A PARADE OR ROAD RACE: Please provide a full route description and map

SET-UP TIME (START/END): 1:30 PM - 2:00 PM

EVENT HOURS: Parade Drive from WIFC to N. Main

DISMANTLE HOURS (START/END): to N. Main ending at Depot St.

ESTIMATED ATTENDANCE: 40 Porsche Cars

BASIS ON WHICH THIS ESTIMATE IS MADE: Past Events

COMPREHENSIVE GENERAL LIABILITY INSURANCE REQUIRED: \$1,000,000. Please attach proof of insurance (or applicable rider).

II. Applicant and Sponsoring Organization Information

SPONSORING ORGANIZATION NAME: Appalachian Region of Porsche Club of America

ARE YOU A NON PROFIT CORPORATION? No Yes If yes, are you 501c(3) 501c(6) Place of Worship

APPLICANT NAME: John Goetzman TITLE: Chairman

ADDRESS: 394 Rambling Ridge Waynesville CITY: Waynesville STATE: NC ZIP: 28786

PHONE: (404) 347-8080 FAX#: — EMAIL: jgoetzman@bellsouth.net

ON-SITE CONTACT: Bob Herrmann TITLE: Co-Chair

ADDRESS: 637 Hickory Dr Waynesville, NC 28786

PHONE # (828) 456-3162 CELL PHONE (828) 506-5512 EMAIL: bob.club27@gmail.com

III. Brief Description of Event

Parade of cars in one direction thru downtown Waynesville. Start at WEGC down Country Club Dr. At on S. Main thru town ending at Depot St.

IV. Street Closure Request (Attach map of the Street Closure)

List any street(s) (or lanes of streets) requiring temporary street closure as a result of this event. Include street name(s) indicating beginning and endpoints of the closing, day, date and time of closing and reopening:

1. One police officer to lead parade and estimated 5 CPU
2. Police volunteers to man intersections that have traffic lights.
- 3.

V. Event Details

YES NO

 Does the event involve the sale or use of alcoholic beverages?
 If yes, has the ABC permit been obtained? Yes No Please provide a graphic of the area where alcoholic beverages will be purchased or consumed (i.e. beer garden layout)

 Does the event involve the sale of food? _____
 If "YES", has the health department been notified? _____ Have you applied for a temporary permit? _____

 Will there be musical entertainment at your event? IF "YES" provide the following information:
 Number of Stages: _____ Number of Band(s): _____ Amplification? _____
 Note: If amplification is used, you will be required to perform a pretest for compliance with the noise ordinance.

 Do you plan to use an existing occupied building? Address _____

 Do you plan to use an existing vacant building? Address _____

 Will there be any tents or canopies in the proposed event site? Please provide the following information:
 Approx. Number of Tents: _____ Will any tent exceed 400 sq. feet in area? NO YES

 Does the event involve the use of pyrotechnics? Explain _____

 Will you provide portable toilets for the general public attending your event? IF SO, how many and where will they be located? _____

 Will you require electrical hookup for the event? Generators? _____

 Will you require access to water for the event? Explain _____

 Will admission fees be charged to attend this event? If "YES", provide the amount(s) of all tickets. _____

 Will fees be charged to vendors to participate in this event? If "YES", please provide the amount(s). _____

 Will signs and/or banners be displayed as part of the event? If "YES" have you applied for a sign permit? _____

 Will inflatable parade balloons be used for the event? Provide details if necessary.

- 
- 1) ENTRANCE OF CC.
 - 2) EXIT UP COUNTRY CLUB
 - 3) TAKE RIGHT AT S. MAIN
 - 4) FOLLOW MAIN TO DEPOT
 - 5) LEFT AT DEPOT
 - 6) ONCE LEFT IS MADE, CONVOY OVER

VI: Additional Questions

How will parking be accommodated for this event?

N/A

Notes:

1. Parking and buildings involved may be examined for ADA compliance.
2. You may be required to provide a shuttle if the event places undue demands on surrounding parking areas.

How will trash be contained and removed during and after the event?

N/A

Volunteers: Will you require Civilian Police Volunteers for your event?

Yes, estimated 5

Apply for this permit at least 60 days prior to your special event. (30 days for a neighborhood street closing)

Return to:

**Beth Gilmore, Downtown Waynesville Director &
Jesse Fowler, Assistant Town Manager
Town of Waynesville
9 S. Main Street, P.O. Box 100, Waynesville, NC 28786
Telephone: (828) 456-3517
Fax No.: (828) 456-2000
Email Address: bethgilmore@waynesvillenc.gov
jfowler@waynesvillenc.gov**

VIII: Special Information for Applicants

- * Do not announce, advertise or promote your event until you have an approved and signed permit.
- * You will be required to notify property owners affected by the event at the time a special events permit is issued with a copy of any correspondence provided to the Town for the permit file.
- * **Only chalk may be used on streets – no permanent paint. No permanent alterations to the street will be permitted.**
- * The Town has an ordinance prohibiting the use of tobacco and e-cigarettes in the business districts and all parks of the Town. The Applicant is to communicate this information to all vendors and participants. Permanent signs are in place in these districts and parks.
- * The Town has an ordinance allowing animals at festivals. Any incidents should be reported to the Police Department.
- * The Applicant shall be responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing on-duty law enforcement officers, to appropriately police street closures. For festivals, the Applicant shall be additionally responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing city staff, including but not limited to: on-duty law enforcement officers, to provide internal festival security and for hiring and paying necessary emergency medical technicians.
- * The Assistant Town Manager, in consultation with the Waynesville Police Department, shall determine the number of officers needed to appropriately monitor street closures and for internal security, and with the Fire Department to determine the number of emergency medical technicians needed, and the time when such services shall commence and end.

FOR INTERNAL USE ONLY:

Application received

Application approved

Application denied

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: July 25, 2023**

SUBJECT: Fiscal Year 2022-2023 Carryforwards

AGENDA INFORMATION:

Agenda Location: Consent Agenda

Item Number:

Department: Finance

Contact: Misty Hagood, Finance Director

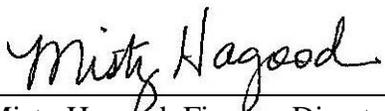
Presenter: Misty Hagood, Finance Director

BRIEF SUMMARY: There were several projects and initiatives approved and funded in the prior fiscal year that were not started or complete as of June 30, 2023. This budget amendment is needed to carry over the remaining unspent funds and unencumbered funds from the prior year to the current fiscal year. The projects to be carried forward are:

- | | |
|--|--------------|
| • Downtown Mural (grant) | \$5,000.00 |
| • Downtown Bump outs | \$44,500.00 |
| • Public Works Art Commission funds | \$25,000.00 |
| • Fire Department (FEMA Grant) | \$82,695.05 |
| • Fire Department equip for 2 new trucks | \$76,711.19 |
| • Parks & Rec (grant funds for fishing access) | \$30,000.00 |
| • Water Treatment Repaint CT (ARP) | \$300,000.00 |
| • Sewer Maintenance I&I/slip lining (ARP) | \$109,933.97 |

MOTION FOR CONSIDERATION: To approve the budget amendment as presented.

FUNDING SOURCE/IMPACT: These projects will be funded with Fund Balance and grant funds.


Misty Hagood, Finance Director

7/5/2023
Date

ATTACHMENTS:

Budget Amendment

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Ordinance No. O-34-23

Amendment No. 2 to the 2023-2024 Budget Ordinance

WHEREAS, the Board of Aldermen of the Town of Waynesville, wishes to amend the 2023-2024 Budget Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Waynesville that the 2023-2024 Budget Ordinance be amended as follows:

General Fund:

Increase the following revenues:

Grants (FEMA and TDA)	164,406.24
Loan Proceeds for fire truck	800,000.00
Fund Balance Appropriated	<u>(700,500.00)</u>
Total General Fund revenue increase	263,906.24

Increase the following appropriations:

Downtown	49,500.00
Fire Department	159,406.24
Public Works (Art Commission)	25,000.00
Parks & Recreation	<u>30,000.00</u>
Total General Fund appropriations increase	263,906.24

Water Fund:

Increase the following revenues:

Fund Balance Appropriated	<u>300,000.00</u>
Total Water Fund revenue increase	300,000.00

Increase the following appropriations:

Water Treatment	<u>300,000.00</u>
Total Water Fund appropriations increase	300,000.00

Sewer Fund:

Increase the following revenues:

Fund Balance Appropriated	<u>109,933.97</u>
Total Sewer Fund revenue increase	109,933.97

Increase the following appropriations:

Sewer Maintenance	<u>109,933.97</u>
Total Sewer Fund appropriations increase	109,933.97

Adopted this 25th day of July 2023.

Town of Waynesville

Gary Caldwell
Mayor

Attest:

Candace Poolton
Town Clerk

Approved As To Form:

Martha Sharpe Bradley
Town Attorney

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: July 27, 2023**

SUBJECT: ABC Board Annual Report

AGENDA INFORMATION

Agenda Location: Presentation
Item Number:
Department: ABC Board
Contact: Danny Wingate, ABC Board Chair
Presenter: Danny Wingate, ABC Board Chair

BRIEF SUMMARY

The Board and Commissions manual states that Chairs of advisory boards are required to appear annually before the Town Council to report on the activities of their board. Danny Wingate, Chair of the ABC Board, is appearing before the Town Council to present the ABC Board's annual report.

MOTIONS FOR CONSIDERATION

None

ATTACHMENTS:

- ABC Board FY23-24 Final Budget

MANAGER'S COMMENTS AND RECCOMENDATIONS

**FINAL BUDGET
WAYNESVILLE ABC BOARD
Fiscal Year 2023 - 2024**

The following budget establishing revenues and setting expense appropriations is hereby adopted and effective July 1, 2023, through June 30, 2024.

Section 1. Estimated Revenues. It is estimated that the revenues listed below will be available during the fiscal year beginning July 1, 2023 and ending June 30, 2024 to meet the operational and functional appropriations as set forth in Section 2, in accordance with the chart of accounts prescribed by the state ABC Commission.

Estimated Revenues:

Sales	\$4,813,793
Other Income	\$0
Total	<u><u>\$4,813,793</u></u>

Section 2. Appropriations. The following expenses are hereby appropriated for fiscal year 2023 - 2024 and are funded by the revenues made available through Section 1, herein.

Appropriations:

Taxes Based on Revenue	\$1,165,305
------------------------	-------------

Cost of Goods Sold	\$2,617,833
---------------------------	--------------------

Operating Expenses

Salaries & Wages	\$304,700
Payroll Taxes	\$23,310
Retirement Expense	\$37,483
Group Insurance	\$76,769
Unemployment Insurance	\$1,200
Repairs & Maintenance Building	\$35,000
Repairs & Maintenance Equipment	\$20,000
Insurance - General & Bonds	\$17,600
Store Supplies	\$21,000
Office Supplies & Postage	\$5,000
Professional Fees	\$20,000
Credit Card Fees	\$72,200
Bank Charges	\$6,300
Telephone	\$4,500
Utilities	\$12,000
Licenses & Taxes	\$300
Dues & Subscriptions	\$4,700
Ground Maintenance	\$7,000

Computer & Software	\$8,000
Uniforms	\$1,000
Contingencies	\$20,000
Cash Short/Over	\$400
Travel	\$11,000
Total	\$709,462

Capital Outlay: \$0

Debt Service/Lease:

Total Estimated Expenses **\$4,492,600**

Distributions:

Town of Waynesville	\$158,844
Law Enforcement	\$41,000
Alcohol Education & Rehab.	\$32,000
Haywood County	\$89,349
Total Distributions	\$321,193

Working Capital Retained \$0

Total Expense, Distribution & Reserve **\$4,813,793**

Section 3. Copies of this Budget Document shall be furnished to the Town of Waynesville, the state ABC Commission, and to the Budget Officer and Finance Officer to be kept on file by them for their direction in the disbursement of funds.

Adopted by the Waynesville ABC Board on

6/20/2023

**TOWN OF WAYNESVILLE COUNCIL MEETING
REQUEST FOR BOARD ACTION
Meeting Date: July 25, 2023**

SUBJECT: In memory of K9 ARCO

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Police
Contact: Chief David Adams
Presenter: Chief David Adams

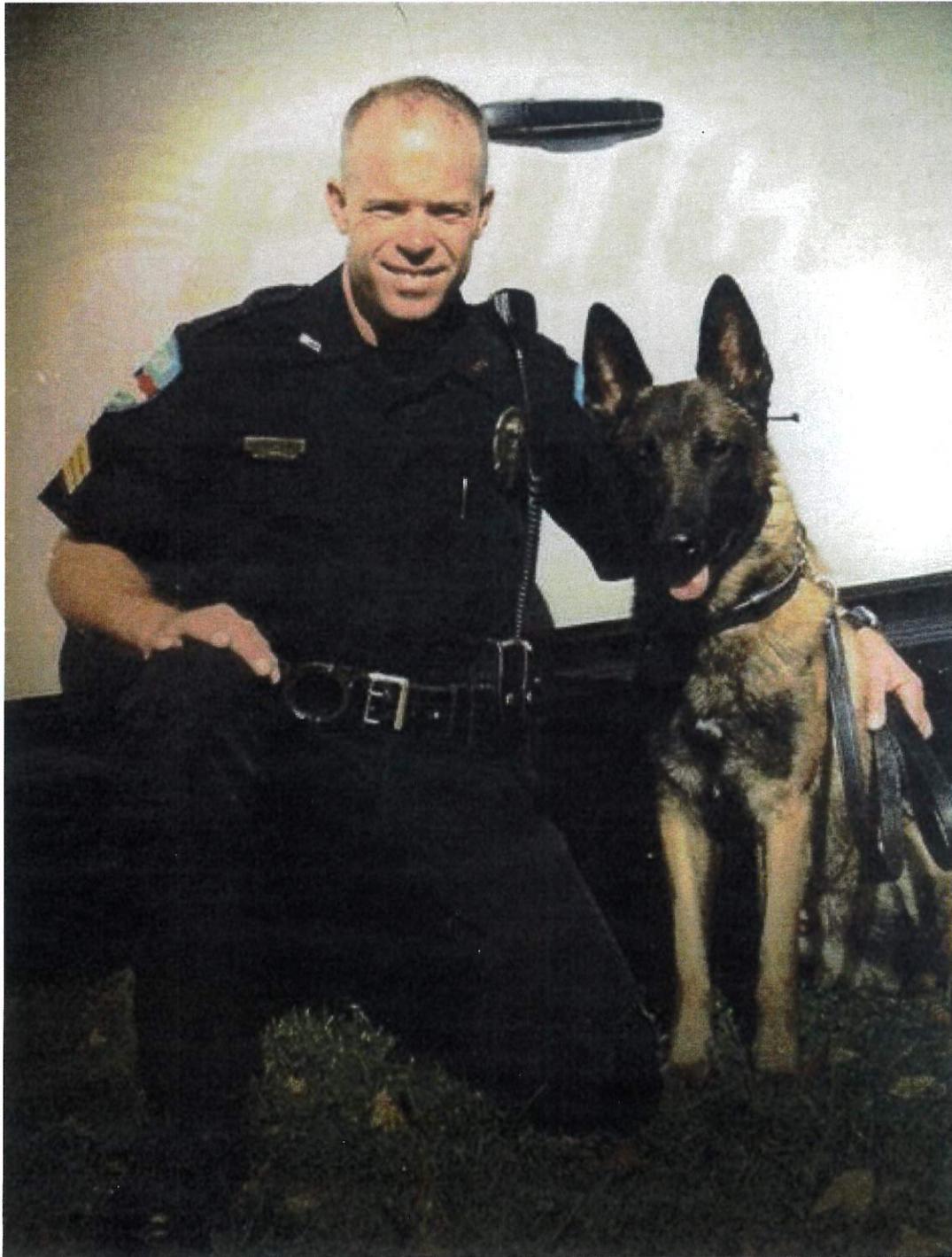
BRIEF SUMMARY: Asst. Chief Brandon Gilmore's K9 partner Arco passed away unexpectedly on May 30th. They had worked together since 2011 and they were very successful in their drug searches. Tonight, we will highlight some of those accomplishments.

MOTION FOR CONSIDERATION:

FUNDING SOURCE/IMPACT

ATTACHMENTS:

MANAGER'S COMMENTS AND RECOMMENDATIONS:



TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: July 25, 2023

SUBJECT: Call for a public hearing for August 8, 2023, to consider a revised Community Development Block Grant (CDBG) application for \$1,400,000 in utility infrastructure improvements in South Waynesville.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Development Services
Contact: Elizabeth Teague, Development Services Director
Presenter: Karen Kiehna, McGill and Associates

BRIEF SUMMARY: McGill and Associates received word from the Community Block Grant Program that the Town's application to extend and repair water and sewer infrastructure in parts of Hazelwood can be partially funded this fiscal year, with the remainder being funded in next fiscal year. As a result, the Town must submit a revised application that would break up the project into two phases. As before, Town Council must hold a public hearing to get community input and Karen Kiehna of McGill and Associates will present information on the project, a proposed CIP budget, and answer questions from the Board and public. The Council will then have to approve the application at the August 22nd, 2023 meeting, and approve the minutes from that hearing to accompany the revised application.

MOTIONS FOR CONSIDERATION:

1. Motion to Call for the Public Hearing for August 8th, 2023.

FUNDING SOURCE/IMPACT: This particular CDBG grant would provide 100% funding for replacement of water and sewer lines in the area of Sawyer, Hendrix, Franklin, and Muse Streets in two phases – one this fiscal year, and one in FY25.

ATTACHMENTS: To be presented at Public Hearing

MANAGER'S COMMENTS AND RECOMMENDATIONS: This project will assist the Town in addressing the SOC and improve water and sewer infrastructure in a lower income neighborhood.

TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: July 25, 2023

SUBJECT: Reappointment of Planning Board and Zoning Board of Adjustment Members

AGENDA INFORMATION

Agenda Location: New Business
Item Number:
Department: Administration
Contact: Jesse Fowler, Assistant Town Manager
Presenter: Jesse Fowler, Assistant Town Manager

BRIEF SUMMARY

Councilmember Jon Feichter and Councilmember Anthony Sutton have interviewed members of the Planning Board and the Zoning Board of Adjustment who had not previously been interviewed by Council, and whose terms we up for reappointment. Those applicants interviewed were:

- Tommy Thomas (Planning Board)
- Stuart Bass (Planning Board)
- Bob Herman (Zoning Board of Adjustment)

These three applicants currently serve on their respective Advisory Boards

MOTIONS FOR CONSIDERATION

1. Motion to reappoint Tommy Thomas and Stuart Bass to the Planning Board.
2. Motion to reappoint Bob Herman to the Zoning Board of Adjustment.

FUNDING SOURCE/IMPACT

MANAGER'S COMMENTS AND RECCOMENDATIONS

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: July 25, 2023**

SUBJECT: Appointment to the Waynesville Housing Authority

AGENDA INFORMATION

Agenda Location: Old Business
Item Number:
Department: Administration
Contact: Jesse Fowler, Assistant Town Manager
Presenter: Jesse Fowler, Assistant Town Manager

BRIEF SUMMARY

Councilmember Chuck Dickson and Councilmember Anthony Sutton have interviewed Sandra Arnold for an appointment to the Waynesville Housing Authority. There are currently 4 vacancies on the Waynesville housing Authority

MOTIONS FOR CONSIDERATION

1. Motion to appoint Sandra Arnold to the Waynesville Housing Authority

FUNDING SOURCE/IMPACT

MANAGER'S COMMENTS AND RECCOMENDATIONS

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: 7/25/2023**

SUBJECT Establish an “Environmental Sustainability Board”

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Town Council
Contact: Councilmember Dickson
Presenter: **Councilmember Dickson**

BRIEF SUMMARY During the Council’s retreat, it approved the concept of a establishing a working board whose task is to study trends in energy conservation, the transition from fossil fuel to electric propelled devices, policies that would help stem increases in the ambient temperature of neighborhoods and commercial areas and efforts to aide citizens and businesses with energy conservation by conducting energy audits of their homes and businesses. Councilmember Dickson has worked with a group of citizens to develop a framework for such a board. At this time, he recommends that the Council establish an “Environmental Sustainability Board”. He will bring recommend the composition of the Board and its “Charge” in the coming months.

MOTION FOR CONSIDERATION: Approve establishing an “Environmental Sustainability Board.

FUNDING SOURCE/IMPACT: All

ATTACHMENTS: None

MANAGER’S COMMENTS: The Board will have the capability to bring the Council an overview of upcoming technological trends as the Town moves to more dependence on electricity as the primary source of fuel. It will also help develop an “energy auditing program” that will provide citizens and businesses with a source to determine how they can save electricity and heat through replacement of heating units, energy efficient windows, insulation, etc. Hopefully, the energy audit would form the basis for a “Weatherization Grant” for qualifying individuals. The Board will also help identify grant opportunities for converting Town buildings to more fuel-efficient structures.

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: 7/25/23**

SUBJECT Request by Councilmember Feichter for the Town to begin maintaining the medians in the State rights of way.

AGENDA INFORMATION:

Agenda Location: New Business

Item Number:

Department: Public Services

Contact: Rob Hites

Presenter: Jon Feichter

BRIEF SUMMARY: NC DOT maintains several planted medians within the Town Limits. Their maintenance consists of periodic mowing. DOT's standard is to mow the medians so that the growth will not become a "site distance issue". Their maintenance is not designed to be "decorative". Several of the medians have an "unkept" look which does not present an "attractive entrance" to the Town. In order to provide a more attractive look to the entrances to Waynesville John recommends that the Town staff take over maintenance of the planted medians within the Towns limits.

MOTION FOR CONSIDERATION: Direct the Town staff to begin maintaining the DOT medians within the Town limits.

FUNDING SOURCE/IMPACT: General

ATTACHMENTS: None.

MANAGER'S COMMENTS: This is a common problem throughout North Carolina. DOT typically does not maintain its planted medians as decorative planting areas. They simply mow the medians periodically. It is up to the various Towns to enhance such areas at their own expense. DOT will permit Towns to maintain the medians so long as they approve the plant materials that go into the medians. They do not permit plants that exceed 30" in height or trees whose trunks exceed 4" in diameter. Waynesville uses a crew of two to maintain several dozen planting areas including the downtown streetscape and the planting areas surrounding Town buildings. Should you wish to take over maintenance of the medians, we may have to remove several areas of maintenance or increase the rotation between maintenance areas to accommodate the time taken to maintain the medians.

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: 7/25/23**

SUBJECT Request to cease enforcement of "Temporary Sign" enforcement within construction areas.

AGENDA INFORMATION:

Agenda Location:

Item Number:

Department: Development Services

Contact: Byron Hickox

Presenter: Jon Feichter

BRIEF SUMMARY: The "Comprehensive Plan" prohibits the use of "Temporary Signs". Such signs include signs that display "movement or the illusion of movement". The staff requests that numerous temporary signs be removed from businesses, especially "feather signs" (signs set on ten-foot poles that wave in the wind). They also do not permit inflatable figures that move using compressed air. Recently the staff requested that an inflatable sign be removed from a business located within the construction zone near the new median on Main Street. The business requests that the Town permit such signs when construction activity inhibits the flow of traffic to the business.

MOTION FOR CONSIDERATION:

- A. Request that the Town staff non enforce the prohibition of temporary signs in areas where traffic flow is limited by construction activity on the roadways.
- B. Request the Town staff to cease enforcement of the Temporary Sign section of the Comprehensive plan until such time as the Town Council has reviewed it.

FUNDING SOURCE/IMPACT: None

ATTACHMENTS: None

MANAGER'S COMMENTS: The Staff received considerable "pushback" from businesses when they enforce the prohibition of banners, feather signs and inflatable signs. Permitting certain types of temporary signs in construction zones alerting people that the business is open is a reasonable request. Determining the type of temporary sign the Town will permit may require more discussion. Given the pushback we receive from enforcing the current regulations regarding banners, flags, feather signs and inflatables I suspect you will receive a request to cease enforcement of the temporary sign ordinance Town wide. You may wish to take your time and review the entire temporary sign ordinance before making permanent changes.

Jon and Rob,

Please excuse the length of this post in advance.

Yes, Byron had a specific conversation with Short Stop and told them that inflatables such as that are not permitted under our Ordinances.

The Town must enforce our sign ordinance equitably regardless of roadway projects or other extenuating circumstances. Staff legally cannot treat people differently or grant variances outside of what's allowed within the Town's ordinances. A variance in land use (ie. What goes where and how) can only be granted by a zoning board of adjustment.

At the next Town Council meeting, we will be coming to the Town Council asking for a waiver of fees to allow us to work with businesses on Russ Avenue to relocate their signage because of the NCDOT Russ Avenue Project. I would suggest that we extend that to North Main as well, should any of those businesses want to relocate their signage for better visibility now that the project is coming to an end.

However, I caution against the Council allowing a strictly prohibited sign – even if temporarily. This type of inflatable “wavy man” is something that pops up periodically all over Town and that we try to address quickly. If an exception is made for the gas station at the Short-Stop, the Council will hear from other businesses about wanting one, and it will not be fair to them – not just for the inflatable wavy man but for other types of expressly prohibited signs (LDS Chapter 11), and you will set a terrible precedent:

Just FYI, we have categorized these signs as “movable signs, and as inflatable/balloon signs” and these are on our expressly prohibited list in the LDS:

“11.8 Prohibited Signs. The following signs are prohibited:

11.8.1 Off-Premises Signs. All off-premises signs unless specifically allowed elsewhere in this chapter are prohibited.

11.8.2 Movable Signs.

11.8.3 Roof Signs. Roof signs are prohibited; provided however, that signs on the surfaces of a mansard roof or on parapets shall be permitted provided that the signs do not extend above the mansard roof or parapet to which they are attached.

11.8.4 Animated/Flashing Signs or Signs of Illusion. Signs displaying blinking, flashing or intermittent lights, animation, and moving parts or signs giving the illusion of movement are prohibited.

11.8.5 Signs Resembling Traffic Signals. Signs that approximate official highway signs, warning signs or regulatory devices are prohibited.

11.8.6 Signs on Roadside Appurtenances. Signs attached to or painted on utility poles, telephone poles, trees, parking meters, bridges and overpasses, rocks, other signs, benches and refuse containers, etc. are prohibited unless specifically allowed elsewhere in this chapter. Waynesville, North Carolina, Code of Ordinances 07-05-2023 Page 152 of 291

11.8.7 Abandoned Signs or Sign Structures. A. Signs that advertise an activity or business no longer conducted on the property on which the sign is located are prohibited. B. Sign structures on which no sign is erected are prohibited. C. Such signs or sign structures must be removed within sixty (60) days of becoming an abandoned sign or sign structure.

11.8.8 Pennants, Streamers, Balloons, Etc. Signs containing or consisting of pennants, ribbons, streamers, balloons greater than twelve (12) inches in diameter, spinners or similar devices are prohibited.

11.8.9 Signs Obstructing Access. Signs which obstruct free ingress or egress from a driveway or a required door, window, fire escape or other required exit way.”

Further, in this case, it is being used as a temporary sign which we allow for special events and promotions – which the roadway project is neither – and with a permit – which they did not get. Byron and I both wish that they had approached us prior to putting it up, so that we could have worked with them on some other legal alternative. DelRays, Water-n Hole, and the Short Stop have all been impacted by this NCDOT project and we genuinely feel for them. We would like to help with their businesses visibility any way we can within the ordinance, but this particular exception is not one I think we should touch.

The problem with FB is that those types of comments don't take into consideration the legal impact of any decision which can be deemed arbitrary and capricious, of impact to neighbors and other businesses, and people tend to pounce on them without any context or consideration for neighborhoods or other people impacted. If you need to respond on FB, please feel free to put this on me. My official response is:

“The Town of Waynesville has not allowed those types of signs under any circumstance, anywhere. We wish that the owners of the property had reached out to us so that we could have worked with them to find a better solution, instead of proceeding without any permits or consultation.”

Hope this helps-

ET

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR TOWN COUNCIL ACTION
Meeting Date: July 25, 2023**

SUBJECT:

A staff request to allow sign and building permits to be waived for businesses whose signs must be relocated or replaced due to NCDOT Project U-5839.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Development Services
Contact: Byron Hickox
Presenter: Byron Hickox

BRIEF SUMMARY:

The North Carolina Department of Transportation's impending Russ Avenue project, known as Project U-5839, will widen approximately 1.1 miles of Russ Avenue from Phillips Road to North Main Street (U.S. 23 Business) in Waynesville. The project also proposes the creation of access for bicyclists and pedestrians with bike lanes and sidewalks. Russ Avenue is a major thoroughfare that provides access to the Great Smoky Mountains Expressway (U.S. 23/74), creates an important link between Waynesville and Maggie Valley, and provides access to many businesses and community resources.

As this project proceeds, many businesses along the Russ Avenue corridor will lose a portion of their property frontage, and many will be required to remove their existing ground signs. Many of the signs that currently exist along Russ Avenue are legal non-conforming signs that exceed some aspect of the Land Development Standards' requirements for ground signs, such as height or square footage. These legal non-conforming signs, once removed, may only be replaced with signs that conform to the Land Development Standards' requirements. The Land Development Standards also requires the issuance of a sign permit to erect, construct, enlarge, move, or replace a sign. The sign permit fee is \$4.00 per square foot, with a minimum of \$40.00. In addition, many signs in the project area will likely require electrical permits related to their lighting elements. Electrical permits are \$75.00. There are approximately 35 signs that are likely to be relocated or replaced because of NCDOT Project U-5839.

Because of the expense and potential hardship associated with the removal and replacement of these ground signs, through no fault or desire of the affected business owners along the Russ Avenue corridor, the Development Services Department is requesting permission to waive sign and electrical permit fees for the relocation or replacement of any sign that is impacted by NCDOT Project U-5839.

MOTIONS FOR CONSIDERATION:

1. Motion to allow the Development Services Department to waive sign and electrical permit fees related to the relocation or replacement of signs that are impacted by NCDOT Project U-5839.

FUNDING SOURCE/IMPACT:

N/A

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Non-Compliant Signs



Compliant Signs



**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: 7/25/23**

SUBJECT Approve the purchase of a replacement street sweeper

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Administration
Contact: Rob Hites
Presenter: Rob Hites

BRIEF SUMMARY The Public Services Department has been keeping a 2004 Johnson Street Sweeper operating for a number of years. The electrical wiring harness has failed to the point that it cannot be repaired. The staff took the vehicle to the factory repair facility, and they reported that not only was a new wiring harness not available, but they don't have a record of how the harness is configured. We find ourselves without a street sweeper. Thankfully, street sweepers are on "State Contract" and are in stock. We will need to substitute the purchase of a "VAC-All truck for a new sweeper and use ARP funds to purchase the truck.

The Council moved to purchase electric vehicles and equipment whenever possible, so we priced both a diesel and an electric hybrid for you review. The sweeper representative has priced a "State Contract" diesel sweeper priced at \$272,345.36. They provided an estimated price of \$700,000 for an electric hybrid. Sweeper. While the Town has the funds to pay cash for a diesel sweeper, we would need to borrow funds to purchase a hybrid model. We have found ,through our recent effort to finance the fire truck, that many lending institutions are steering away from funding small municipal debt. The current interest rate for such small municipal debt is 4%.

MOTION FOR CONSIDERATION: Approve the purchase of a street sweeper for \$280,000 (the turn-key price includes, tags, title and town installed equipment such as radio and warning lights).

FUNDING SOURCE/IMPACT: ARP

ATTACHMENTS: Quotes for vehicles.

MANAGER'S COMMENTS: We are in the midst of a decade long transition from fossil fuel based to electric propulsion. Over time the cost and availability of electric vehicles and equipment will be reduced. The Town should purchase electric and hybrid vehicles and equipment when their initial and operating costs begin to compete with gas and diesel products. We should also be on the lookout for grant opportunities that would help with the cost. In the short run we need to recognize that we will still have to depend on fossil fuel-based vehicles and equipment where cost and availability are still an issue. I recommend that your purchase the diesel street sweeper for a turn-key cost of \$ 280,000.



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704-289-6488



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4519 Old Charlotte Hwy. Monroe NC 28110



July 6, 2023

Town of Waynesville
129 Legion Drive
Waynesville, NC 28786

Attention: Jeff Stines

RE: Regen X Regenerative Air Sweeper

We would like to take this opportunity to thank you for your continued interest in Joe Johnson Equipment (JJE) and Elgin's industry-leading line of innovative street sweeping products.

JJE is pleased to present the following quotation to provide one (1) Elgin Regen X Regenerative Air Sweeper, mounted on a new Freightliner M2-106 chassis per NCSA Contract #24-08-0421 Item # 2752.

We appreciate the opportunity to assist with this equipment requirement and ask that you not hesitate to contact us should you require additional information.

Respectfully Submitted,

Danny Wilson
Regional Sales Manager
Joe Johnson Equipment
Cell: (828)610-3100
dwilson@jjeusa.com



Joe Johnson Equipment

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Quotation

To provide one (1) Regen X Regenerative Air Sweeper mounted on a new Freightliner M2-106 chassis, standard equipped as described below:

Auxiliary Engine:

- Make: John Deere 4045T Tier Four Final
- Type: 4-cylinder, turbocharged diesel
- Displacement 276 cu. In. (4.5L)
- Horsepower: 74 (55 kW) @2400 RPM
- Torque: 224 ft-lbs (304 Nm) @ 1600 RPM
- Auto Shutdown for Low Oil/High Temp Electronic Throttle

Blower (Fan):

- Driven by a two (2) "V" groove power belt, with spring-loaded tensioner; not requiring repositioning of the auxiliary engine for adjustment
- Blower speed shall not exceed 3050 RPM
- Closed face turbine type, 333/8 in. diameter, with 9 vanes constructed of Hardox steel
- Blower housing shall be constructed of 7-gauge steel
- Inspection door
- Belt tension shall not exceed 20 Hz

Pickup Head:

- 90" wide and 30" long for a total area of 27002 inches
- 14" diameter pressure hose that connects the blower outlet with the pickup head
- 13" diameter suction hose with a quick disconnect coupling at the lower end near the pickup head and the higher end near the hopper inlet, steel portion of this suction tube shall be no shorter than 19"
- The pressure side shall be equipped with an in-cab steel cable-controlled pressure relief valve/vacuum enhancer/leaf bleeder no smaller than 116 square-inches
- The suction chamber shall be equipped with a washout port that does not restrict the sizing of washout nozzle(s) used
- The front and rear debris curtains shall be removable through the loosening of four (4) slotted bolts without removing the pickup head from the unit
- Raised and lowered by rocker switch inside the cab

Side Brooms:

- 144" total sweep path with both side brooms extended
- Free floating trailing arm, parallelogram design

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- 42" diameter with hydraulically driven rotation, pneumatically raised and lowered
- Controlled by in cab rocker switches

Hopper:

- 8 cu. yards with all fore-and-aft edges being minimum of 6" radius to provide ease of cleaning and debris evacuation
- Constructed of 10-gauge steel and 1/4" thick steel floor
- 50° total dump angle, 10° hopper floor plus 40° dump angle
- Two (2) single stage telescoping cylinders
- External hopper props
- Dump control shall consist of weatherproof toggle switches located on the exterior right side of sweeper along with optional in-cab dump switches – hopper raise/lower and hopper door open/close – shall also be available
- A single screen assembly with total surface area of 3970 square inches, constructed of 11-gauge steel, shall be installed to allow air to move freely from the hopper into the centrifugal dust separator
- Screen shall be hinged and lowered via a pneumatically controlled cable drop-down system

Spray Water System:

- Polyethylene tank, 265-gal. capacity
- 16' 8" fill hose
- Color coded water lines
- Three (3) spray nozzles at each side broom, three (3) at suction hose
- One (1) electric 12-volt, diaphragm type pump will provide a capacity of 4 GPM to the pickup head, the suction hose, and the side brooms. The system pressure shall be sized for 40 PSI

Hydraulic System:

- Gear driven pump, with a flow capacity of 7.0 GPM @ 2100 RPM and 8.3 GPM @ 2500 RPM
- 11 gal. capacity with exterior site gauge

Pneumatic System:

- All pneumatic cylinders rated to 150 PSI and have a separate rod seal and wiper
- All pneumatic cylinders are interchangeable

Electrical System:

- Rear-facing backup camera
- Backup alarm
- Wiring system is color coded and "function stamped"

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Instrumentation:

- "Raised" hopper indicator and "open" hopper door indicator and a "full" hopper indicator
- Diagnostic information
- Tachometer, hour meter, oil pressure, voltage, and coolant temperature

Additional Enhancements Included:

- Right Hand Gutter Broom Tilt - No Display
- LifeLiner Hopper
- Right Hand Inspection Door
- In-Cab Hopper Dump
- Wandering Hose
- LED Strobe Front & Rear & LED Arrow stick
- LED Side Broom Lights
- Auxiliary Hydraulic Pump Use with In-Cab Hopper Dump
- Right Hand Toolbox
- Left Hand Fender Mounted Mirror
- SGL Arm Rest
- Front Spray Bar
- Arm Rest Pass Side
- Bos Air Cloth 905

Purchase Price \$272,345.36

Terms & Conditions

Strictly Subject to Availability and Prior Sale

Subject to revision based on events beyond our control due to wildly fluctuating material prices

Pricing in USD, taxes and fees to be paid at time of tag & title if applicable

Price Includes PDI, delivery and training

FOB: Waynesville, NC

Payment Terms: Due upon receipt

Purchase order required

Delivery: To be confirmed at time of order

Quotation valid for 7 days

U005299

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Budgetary Quotation-Not valid for purchase

To provide one (1) new Elgin Broom Bear Electric sweeper standard equipped as described below:

General Specs:

- Sweep Path: Main broom only – 60", Main broom & one side broom – 90" & Main broom & two side brooms – 120"
- Commercial Class 8 Chassis
- Rear-view camera system
- 1 year parts and labor warranty on sweeper
- Broom Bear Service Manual

Main Broom:

- Prefab disposable polypropylene filled
- 34" diameter & 60" length
- Disposable steel tube core
- Constant speed
- Hydraulic motor with direct drive
- Closed loop hydraulic spring digging pressure and wear control
- Hydraulic life control
- Full-floating trailing arm mounted

Side Brooms:

- Disposable 5 or 6 segment, plastic type
- 46" diameter 26" wire broom material
- Steel disc construction
- Adjustable speed on side of machine
- Full hydraulic drive
- Pneumatic digging pressure and wear control from cab
- Pneumatic Lift Control
- Free floating and full sideways oscillation
- Motion Pneumatically inward/outward, raised/lowered

Conveyor:

- Squeegee with replaceable rubber edging
- Elevator Bottom – Bold-in multi section abrasion resistant steel plates
- Constant speed, forward and reverse
- Lift independent flexibility for large object passage

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- Reversible direct drive hydraulic motor
- Chain adjuster
- Lift control Hydraulic is independent of rear broom
- Lifiable to 12" for bulk object passage
- Cascade washdown with fill diverter

Instrumentation/Controls:

- Warning lamps and buzzer
 - o Amber: Coolant level, Hydraulic Oil level, Hydraulic Filter Restriction
 - o Red: Battery Voltage, Coolant Temp, High Hydraulic Oil Temp
- Warning lamps
 - o Amber: Full Load Indicator, Conveyor Stall, Hopper Up, Low Water
 - o Green: Elevator Down, Sweep mode, Transport Mode, Dump Mode, Full Water
 - o Red: Unlevel Ground

Low Voltage Electrical:

- 12 V/Negative Ground
- Group 31, 1900 CCA batteries
- Hot stamp identified with weatherproof connectors wiring

Hydraulic System:

- Quad gear sweep system pump
- 26.7GPM capacity
- O-ring face seal fittings
- 23 gal reservoir capacity
- 100 mesh inlet strainer
- 6 micron return filter
- 10 micron breather
- Externally mounted cooler
- Electro-hydraulic valves

Hopper:

- 4.5 yd³ volumetric capacity
- 3.3 yd³ material volume
- Electro-hydraulic in cab hopper lift and dump controls
- Inspection door
- Right side dumping

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- Minimum dump height of 38"
- Maximum dump height 11' 2"
- Maximum hopper dump angle 50°
- 11,000 lbs. design lift capacity
- Two stage scissors with hydraulic cylinders lifting mechanism

Water Spray System:

- Polyethylene tank construction
- PM-10 Compliant
- 360 gal tank capacity
- 15' 0" fill hose with 2.5" NST hydrant coupling
- Triplex Positive Displacement Pump
- 3 spray nozzles across main broom and over each gutter broom
- 80 mesh plastic housing water filter
- In cab pump control and flow control valves at each side broom

Additional Enhancements Included:

- Hopper Up Constant Alarm
- Hopper Full Indicator
- Sweeper Service Manual
- Hydraulic Float Mainbroom Only Suspension (In lieu of Mechanical)
- Hydraulic Oil Temp Display (In Cab)
- Dual Rear/Single Hopper Beacons; LED with Guards & LED Arrowstick (Package 6)
- Left Hand Sidebroom Tilt with Indicator
- Right Hand Sidebroom Tilt with Indicator
- Rubber Drag-Shoes (In Lieu of Standard)
- Variable Speed Conveyor & In Cab Variable Speed & Reverse Control Sidebrooms
- Rubber Belt Conveyor (In Lieu Of Standard Squeegee) (No Charge)
- 25' Water Fill Hose
- Water Sidebroom Function Control
- Full Width Front Spray Bar
- Air Purge for Water System
- One (1) 2.5 Lb. Fire Extinguisher

Budgetary Purchase Price \$700,000.00

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**Joe Johnson
Equipment**

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Terms & Conditions

Prices are in US Dollars, taxes extra

FOB: Monroe NC

Delivery: To Be Advised

NOT VALID FOR PURCHASE- FOR BUDGETING PURPOSES ONLY

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**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: 7/25/23**

SUBJECT Amendment to ARP Project Fund-Addition of Street Sweeper

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Finance
Contact: Misty Hagood
Presenter: **Misty Hagood**

BRIEF SUMMARY : The Town’s street sweeper is out of service and beyond repair. In order to purchase a replacement, we recommend that the Council use ARP funds. The attached Grant Project Budget be approved. The amendment adds the street sweeper and reduces the I&I Slip Lining line item. In addition to the addition of the street sweeper, the budget amendment “trues up” several items that have been purchased by recognizing their “actual cost” vs the “budgeted estimate”. The savings derived from the move from budget to actual has been added to the I&I Slip Lining Budget

MOTION FOR CONSIDERATION: Approve the ARP Budget Amendment

FUNDING SOURCE/IMPACT: ARP Funds

ATTACHMENTS: Budget Amendment

MANAGER’S COMMENTS: Approve the Budget Amendment

ORDINANCE O-35-23
PROJECT ORDINANCE FOR THE TOWN OF WAYNESVILLE
AMERICAN RESCUE PLAN ACT OF 2021
CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS

BE IT ORDAINED by the town council of the Town of Waynesville, North Carolina that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following grant project ordinance is hereby adopted:

Section 1: This ordinance is to establish a budget for a project to be funded by the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (ARP/CSLFRF). The Town of Waynesville (Town) has received the first and second tranches in the amount of \$3,231,910.78 of CSLFRF funds. These funds may be used for the following categories of expenditures, to the extent authorized by state law.

1. Support public health expenditures, by funding COVID-19 mitigation efforts, medical expenses, behavioral healthcare, and certain public health and safety staff.
2. Address negative economic impacts caused by the public health emergency, including economic harms to workers, households, small businesses, impacted industries, and the public sector.
3. Replace lost public sector revenue, using this funding to provide government services to the extent of the reduction in revenue experienced due to the pandemic.
4. Provide premium pay for essential workers, offering additional support to those who have borne and will bear the greatest health risks because of their service in critical infrastructure sectors; and,
5. Invest in water, sewer, and broadband infrastructure, making necessary investments to improve access to clean drinking water, support vital wastewater and stormwater infrastructure, and to expand access to broadband internet.

Section 2: The Town has elected to take the standard allowance, as authorized by 31 CFR Part 35.6(d)(1) and expend all its ARP/CSLFRF funds for the provision of government services.

Section 3: The following amounts are appropriated for the project and authorized for expenditure:

Project Description	Expenditure Category (EC)	Appropriation of ARP Funds
Law Enforcement for Police Department vehicles	6.1	\$247,815
Fire Service for fire vehicles	6.1	\$81,119
Sanitation service garbage cans	6.1	\$304,953
Storm sewer on Kentucky Avenue	6.1	\$54,367
Greenway & pedestrian bridge	6.1	\$265,911
Water project Pigeon Street	6.1	\$419,213
I&I mitigation/slip lining	6.1	\$161,892
Column Lifts for Garage	6.1	\$43,745
F350 for Garage	6.1	\$58,858
Small Excavator	6.1	\$29,300
Repaint CT Chamber & backwash tanks at water plant	6.1	\$300,000
Tractor with snow removal equipment	6.1	\$34,505
Dispatch Center Upgrade	6.1	\$112,189
Finance Dept SUV	6.1	\$40,000
Hazelwood Offices/FD Bunks	6.1	\$150,000
Police sedan & equipment	6.1	\$50,019
Police Firearms	6.1	\$10,025
Axon car and body worn camera system	6.1	\$88,000
Trash Truck	6.1	\$360,000
Parks & Rec Maint. Truck	6.1	\$60,000
Obama King Park Bathroom	6.1	\$80,000
Street Sweeper	6.1	\$280,000
Total		\$3,231,911

Section 4: The following revenues are anticipated to be available to complete the projects:

ARP/CSLFRF Funds: \$3,231,910.78

Total: **\$3,231,910.78**

Section 5: The Finance Officer is hereby directed to maintain sufficient specific detailed accounting records to satisfy the requirements of the grantor agency and the grant agreements, including payroll documentation and effort certifications, in accordance with 2 CFR 200.430 & 2 CFR 200.431 and the Town's Uniform Guidance Allowable Costs and Cost Principles Policy.

Section 6: The Finance Officer is hereby directed to report the financial status of the project to the town council on a quarterly basis.

Section 7: Copies of this grant project ordinance shall be furnished to the Budget Officer, the Finance Officer and to the Town Clerk.

Section 8: This grant project ordinance expires on December 31, 2026, or when all the ARP/CSLFRF funds have been obligated and expended by the Town, whichever occurs sooner.

Adopted this 25th day of July 2023.

Town of Waynesville

J. Gary Caldwell
Mayor

Attest:

Candace Poolton
Town Clerk

Approved As To Form:

Martha Sharpe Bradley
Town Attorney

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: July 11, 2023**

SUBJECT: Resolution Approving Financing Terms

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: (LEAVE BLANK)
Department: Finance
Contact: Misty Hagood, Finance Director
Presenter: Misty Hagood, Finance Director

BRIEF SUMMARY:

I sent out a Request for Proposals to 10 banks on June 5, 2023 for financing on the new fire truck and equipment. I heard back from five of the banks that they were not interested in bidding at this time. The only proposal we received is from Truist for a term of 15 years at an interest rate of 4.89% and it is prepayable in whole at any time without penalty. The yearly payment will be \$76,501.83. I recommend that we go with this proposal and approve the Resolution Approving Financing Terms. A lot of banks are no longer financing rolling stock so I do not think we will get any other proposals if we release it again.

MOTION FOR CONSIDERATION:

Approval of the Resolution Approving Financing Terms

ATTACHMENTS:

Truist proposal
Resolution Approving Financing Terms
Amortization Schedule

MANAGER'S COMMENTS AND RECOMMENDATIONS:



Truist Financial Corporation

Governmental Finance

5130 Parkway Plaza Blvd.
Charlotte, North Carolina 28217
Phone (704) 954-1700

June 29, 2023

Misty Hagood
Finance Director
Town of Waynesville
16 S Main St
Waynesville, NC 28786

Dear Ms. Hagood:

Truist Bank (“Lender”) is pleased to offer this proposal for the financing requested by the Town of Waynesville (“Borrower”).

PROJECT: \$800M - Fire Apparatus IFA

AMOUNT: Up to \$800,000.00

TERM: 15 years

INTEREST RATE: 4.89 %

TAX STATUS: Tax Exempt-BQ

PAYMENTS: Interest: Annual
Principal: Annual

INTEREST RATE CALCULATION: 30/360

SECURITY: Vehicles and Equipment

PREPAYMENT TERMS: Prepayable in whole at any time without penalty

RATE EXPIRATION: 08/15/23

DOCUMENTATION/ LEGAL REVIEW FEE: N/A

FUNDING: Proceeds will be deposited into an account held at Lender pending disbursement unless equipment is delivered prior to closing.

DOCUMENTATION: Lender proposes to use its standard form financing contracts and related documents for this installment financing. We shall provide a sample of those documents to you should Lender be the successful proposer.

REPORTING

REQUIREMENTS: Lender will require financial statements to be delivered within 270 days after the conclusion of each fiscal year-end throughout the term of the financing.

Should we become the successful proposer, we have attached the form of a resolution that your governing board can use to award the financing to Lender. If your board adopts this resolution, then Lender shall not require any further board action prior to closing the transaction.

Lender shall have the right to cancel this offer by notifying the Borrower of its election to do so (whether this offer has previously been accepted by the Borrower) if at any time prior to the closing there is a material adverse change in the Borrower's financial condition, if we discover adverse circumstances of which we are currently unaware, if we are unable to agree on acceptable documentation with the Borrower or if there is a change in law (or proposed change in law) that changes the economic effect of this financing to Lender.

Costs of counsel for the Borrower and any other costs will be the responsibility of the Borrower.

The stated interest rate assumes that the Borrower expects to borrow no more than \$10,000,000 in the current calendar year and that the financing will qualify as qualified tax-exempt financing under the Internal Revenue Code. Lender reserves the right to terminate this bid or to negotiate a mutually acceptable interest rate if the financing is not qualified tax-exempt financing.

We appreciate the opportunity to offer this financing proposal. Please call me at (704) 526-4403 with your questions and comments. We look forward to hearing from you.

Sincerely,

Robert Garofalo
Senior Vice President
Truist Bank

Resolution R-15-23 Approving Financing Terms

WHEREAS: The TOWN OF WAYNESVILLE (“Borrower”) has previously determined to undertake a project for the financing of fire apparatus (the “Project”), and the Finance Officer has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Borrower hereby determines to finance the Project through Truist Bank (“Lender”) in accordance with the proposal dated June 29, 2023. The amount financed shall not exceed \$800,000.00, the annual interest rate (in the absence of default or change in tax status) shall not exceed 4.89%, and the financing term shall not exceed fifteen (15) years from closing.

2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the Borrower are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution.

3. The Finance Officer is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to such officer's satisfaction. The Finance Officer is authorized to approve changes to any Financing Documents previously signed by Borrower officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Officer shall approve, with the Finance Officer’s release of any Financing Document for delivery constituting conclusive evidence of such officer's final approval of the Document’s final form.

4. The Borrower shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations.

5. The Borrower intends that the adoption of this resolution will be a declaration of the Borrower’s official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Lender financing described above. The Borrower intends that funds that have been advanced, or that may be advanced, from the Borrower’s general fund or any other Borrower fund related to the Project, for project costs may be reimbursed from the financing proceeds.

6. All prior actions of Borrower officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this 25th day of July, 2023

Attest: _____

Candace Poolton, Town Clerk

By: _____

Gary Caldwell, Mayor of Town of Waynesville

SEAL

Loan Debt Service

Town of Waynesville, NC Customer No. 9933004136 NAICS 921190

Fire Apparatus Note No. TBD

Dated Date 8/15/2023

Delivery

Date 8/15/2023

Period Ending	Principal	Rate	Interest	Debt Service	Annual Debt Service	Loan Balance
8/1/2023						800,000.00
8/1/2024	37,381.83	4.890%	39,120.00	76,501.83	76,501.83	762,618.17
8/1/2025	39,209.80	4.890%	37,292.03	76,501.83	76,501.83	723,408.37
8/1/2026	41,127.16	4.890%	35,374.67	76,501.83	76,501.83	682,281.21
8/1/2027	43,138.28	4.890%	33,363.55	76,501.83	76,501.83	639,142.93
8/1/2028	45,247.74	4.890%	31,254.09	76,501.83	76,501.83	593,895.19
8/1/2029	47,460.35	4.890%	29,041.47	76,501.82	76,501.82	546,434.84
8/1/2030	49,781.16	4.890%	26,720.66	76,501.82	76,501.82	496,653.68
8/1/2031	52,215.46	4.890%	24,286.36	76,501.82	76,501.82	444,438.22
8/1/2032	54,768.80	4.890%	21,733.03	76,501.83	76,501.83	389,669.42
8/1/2033	57,446.99	4.890%	19,054.83	76,501.82	76,501.82	332,222.43
8/1/2034	60,256.15	4.890%	16,245.68	76,501.83	76,501.83	271,966.28
8/1/2035	63,202.67	4.890%	13,299.15	76,501.82	76,501.82	208,763.61
8/1/2036	66,293.29	4.890%	10,208.54	76,501.83	76,501.83	142,470.32
8/1/2037	69,535.03	4.890%	6,966.80	76,501.83	76,501.83	72,935.29
8/1/2038	72,935.29	4.890%	3,566.54	76,501.83	76,501.83	
	800,000.00		347,527.41	1,147,527.41	1,147,527.41	

TOWN OF WAYNESVILLE Town Council
REQUEST FOR COUNCIL ACTION
Meeting Date: July 11, 2023

SUBJECT: Budget Amendment for TDA Grant Awards

AGENDA INFORMATION:

Agenda Location: Ordinances

Item Number:

Department: Finance

Contact: Misty Hagood, Finance Director

Presenter: Misty Hagood, Finance Director

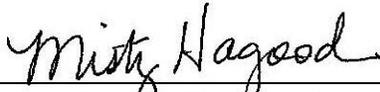
BRIEF SUMMARY: The DWC has been awarded several grants that require a budget amendment for us to record the revenue and expend the funds. The awarded grants are listed below:

TDA Grants

- | | |
|-----------------------------|----------|
| • Appalachian True Weekend | \$16,000 |
| • Christmas Decorations | \$ 3,750 |
| • Creative Campfire | \$ 5,000 |
| • String Lights | \$ 1,875 |
| • Summertime Sidewalk Music | \$ 3,750 |

MOTION FOR CONSIDERATION: To approve the budget amendment as presented.

FUNDING SOURCE/IMPACT: These projects will be funded with the grant funds.


Misty Hagood, Finance Director

7/3/2023

Date

ATTACHMENTS:

1. Budget Amendment
2. TDA Award Letter

Ordinance No. O-33-23

Amendment No. 1 to the 2023-2024 Budget Ordinance

WHEREAS, the Board of Aldermen of the Town of Waynesville, wishes to amend the 2023-2024 Budget Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Waynesville that the 2023-2024 Budget Ordinance be amended as follows:

General Fund:

Increase the following revenues:

Grants (TDA Grants)

Appalachian True Weekend	\$16,000
Christmas Decorations	\$ 3,750
Creative Campfire	\$ 5,000
String Lights	\$ 1,875
Summertime Sidewalk Music	\$ 3,750

Increase the following appropriations:

Downtown	\$30,375
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Adopted this 11th day of July, 2023

Town of Waynesville

Gary Caldwell
Mayor

Attest:

Candace Poolton
Town Clerk

Approved As To Form:

Martha Sharpe Bradley
Town Attorney



HAYWOOD COUNTY
TOURISM DEVELOPMENT AUTHORITY

June 1, 2023

Dear Beth,

The Haywood County TDA Board, meeting on May 31st, 2023, approved the following grant funding to the Downtown Waynesville Association, with some stipulations listed beside each:

1%	28785/6	Appalachian True Weekend	\$16,000	
1%	28785/6	Christmas Decorations	\$3,750	DWC must match at least \$2,500
1%	28785/6	Creative Campfire	\$5,000	DWC must match at least \$2,500
1%	28785/6	String Lights	\$1,875	DWC must match at least \$500
1%	28785/6	Summertime Sidewalk Music	\$3,750	DWC must match at least \$1,000

Please thoroughly review the following important reminders and guidelines for use and reimbursement of these grants funded by occupancy tax dollars:

- Spend funds by June 30th, 2024, and adhere to Haywood County Tourism Development Authority (HCTDA) grant [guidelines](#) to qualify for reimbursement.
- Recognize HCTDA during public communications and events.
- Display the Visit NC Smokies [logo](#) on materials, ads, and signs.
- Include a "Plan Your Trip" statement or button linking to VisitNCsmokies.com on your business or event website.
- Submit the required Payment Request Form, Final Evaluation Report, and Funding Reimbursement Worksheet together, within 60 days of event or project completion, available [here](#).
- Non-adherence to guidelines, missing deadlines, and lack of proper receipts/documentation may lead to non-payment.
- Ineligible uses of funding won't be reimbursed. Check Grant Guidelines for details.

If you have any questions, please reach out to me or Hayley Printz and we'll be happy to help.

Sincerely,

Corrina Ruffieux, CDME, CDE®
Executive Director,
Haywood County TDA

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date 7/25/23**

SUBJECT Request for a double burial

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Administration
Contact: Rob Hites
Presenter: Rob Hites

BRIEF SUMMARY: The Department of Defense has recently identified the remains of a Vietnam Veteran who resided in Waynesville. The Defense Department and area veterans would like to return his remains to Green Hill Cemetery for burial. Many years ago, the veteran was declared missing in action and dead. In memoriam, his uniform was buried in an empty coffin in the veteran's section of the cemetery. It is the wish of his surviving widow that his remains be buried in her family's private plot in a double burial. He would be laid to rest and at a future date, she would be buried above his interment. The current rules of the cemetery do not permit double burials. Due to the special circumstances surrounding the identification of his remains, the family requests that the Town Council permit a double burial.

MOTION FOR CONSIDERATION: Refer the request to the Cemetery Committee for their recommendation.

FUNDING SOURCE/IMPACT: General

ATTACHMENTS: None

MANAGER'S COMMENTS: The burial is to take place in October so moving the request through the proper channels would be reasonable.

TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: July 25, 2023

SUBJECT: Appointment of Alcohol Beverage Control Board Applicant

AGENDA INFORMATION

Agenda Location: New Business
Item Number:
Department: Administration
Contact: Jesse Fowler, Assistant Town Manager
Presenter: Jesse Fowler, Assistant Town Manager

BRIEF SUMMARY

Mayor Pro Tempore Julia Freeman and Councilmember Chuck Dickson have interviewed two new applicants for the Alcohol Beverage Control (ABC) Board. The two applicants that were interviewed Jonathan Sears and Alex McKay. There is currently one vacancy on the ABC Board.

MOTIONS FOR CONSIDERATION

- Motion to appoint a new member to the Alcoholic Beverage Control Board

FUNDING SOURCE/IMPACT

MANAGER'S COMMENTS AND RECCOMENDATIONS