

## Town of Waynesville, NC

### Town Council Regular Meeting

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

Date: January 27<sup>th</sup>, 2026 Time: 6:00 p.m.

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(828) 452-2491 [cpoolton@waynesvillenc.gov](mailto: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 Town Council and will be enacted by one motion. There will be no separate discussion on these items unless a Councilmember 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. January 13, 2026 Regular Meeting Minutes
- b. Order of Collection-2026
- c. JM Teague On-Call Contract Renewal

***Motion: To approve the consent agenda as presented.***

#### E. PRESENTATIONS

3. Promotion of Paige Shell to Lieutenant
  - Chief David Adams
4. Presentation of awards to 2025 Christmas parade winners
  - Eva Hansen, Kiwanis Club

5. Endorsement of Medford Grant Application

- Josie Ostendorff & Breanne Haynes, Impact U Club

***Motion:*** *To endorse Impact U for their application to the Medford Grant for the Helene Flood Memorial landscaping.*

6. Presentation regarding activities of the Environmental Sustainability Board

- William Hite, ESB Chair

7. Fire Department 2025 Annual Report

- Fire Chief Chris Mehaffey

F. PUBLIC HEARING

8. Public hearing to consider a text amendment to remove the mandatory waiting period requirement for the resubmission of map and text amendments, Land Development Standards (LDS) Section 15.14.6.

- Olga Grooman, Assistant Development Services Director

***Motions:***

***1. Motion to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.***

***2. Motion to adopt the Ordinance as presented (or as amended).***

G. NEW BUSINESS

9. Changes to the structure of the Downtown Waynesville Commission board

- Beth Gilmore, Downtown Waynesville Commission Executive Director

***Motion:*** *To amend Section 1 of Downtown Waynesville Commission rules and procedures regarding Board Membership.*

H. COMMUNICATION FROM STAFF

10. Manager's Report

- Town Manager, Rob Hites

11. Town Attorney's Report

- Town Attorney, Martha Bradley

I. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

J. CLOSED SESSION

12. Closed Session-Economic Development

- Rob Hites, Town Manager

***Motion: To go into closed session in accordance with NCGS § 143-318.11. (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.***

K. ADJOURN



# TOWN OF WAYNESVILLE

PO Box 100  
 16 South Main Street  
 Waynesville, NC 28786  
 Phone (828) 452-2491 • Fax (828) 456-2000  
[www.waynesvillenc.gov](http://www.waynesvillenc.gov)

## 2026 CALENDAR

ALL COUNCIL MEETINGS TO START AT 6:00 PM IN THE BOARD ROOM LOCATED  
 AT  
 9 SOUTH MAIN STREET UNLESS OTHERWISE NOTED

2026	
Fri. January 30	Ice Block Party on Main Street 5pm-8pm
Tues, February 10	Town Council Meeting – Regular Session
Tues. February 24	Town Council Meeting – Regular Session
Thurs. February 26	Council Workshop for Rec Master Plan @ 129 Legion Drive 9am-10am
Tues, March 10	Town Council Meeting – Regular Session
Tues. March 24	Town Council Meeting – Regular Session
Tues. April 14	Town Council Meeting – Regular Session
Tues. April 28	Town Council Meeting – Regular Session
Tues. May 12	Town Council Meeting – Regular Session
Tues. May 26	Town Council Meeting – Regular Session
Tues. June 9	Town Council Meeting – Regular Session
Tues. June 23	Town Council Meeting – Regular Session
Tues, July 14	Town Council Meeting – Regular Session
Tues. July 28	Town Council Meeting – Regular Session
Tues. August 11	Town Council Meeting – Regular Session
Tues, August 25	Town Council Meeting – Regular Session
Tues, September 8	Town Council Meeting – Regular Session
Tues. September 22	Town Council Meeting – Regular Session
Tues. October 13	Town Council Meeting – Regular Session
Tues. October 27	Town Council Meeting – Regular Session
Tues. November 10	Town Council Meeting – Regular Session
Tues. November 24	Town Council Meeting – Regular Session
Tues. December 8	Town Council Meeting – Regular Session

## Board and Commission Meetings – January 2026

ABC Board	ABC Office – 52 Dayco Drive	<b>January 20th</b> 3 <sup>rd</sup> Tuesday 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	<b>January 6th</b> 1 <sup>st</sup> Tuesday 5:30 PM
Cemetery Commission	Public Services Building	<b>Every Other Month- January 20th</b> 3 <sup>rd</sup> Tuesday 2:00 PM
Downtown Waynesville Commission	Town Hall – 9 South Main Street	<b>January 20th</b> 3 <sup>rd</sup> Tuesday 8:30 AM
Environmental Sustainability Board	Public Services-129 Legion Drive	<b>January 8th</b> 1 <sup>st</sup> Thursday 4:30pm
Historic Preservation Commission	Town Hall – 9 S. Main Street	<b>January 7th</b> 1 <sup>st</sup> Wednesday 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	<b>January 12th</b> 3 <sup>rd</sup> Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	<b>January 8th</b> 2 <sup>nd</sup> Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	<b>January 19th</b> 3 <sup>rd</sup> Monday 5:30 PM
Waynesville Housing Authority	Main Office-48 Chestnut Park Drive	<b>January 28th</b> 4 <sup>th</sup> Wednesday 9:00 AM

**MINUTES OF THE TOWN OF WAYNESVILLE TOWN COUNCIL**  
**Regular Meeting**  
**January 13, 2026**

**THE WAYNESVILLE TOWN COUNCIL** held a regular meeting on Tuesday, January 13, 2026, at 6:00pm 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 6:03 pm with the following members present:

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

The following staff members were present:

Rob Hites, Town Manager  
Jesse Fowler, Deputy Manager  
Candace Poolton, Town Clerk/Assistant to the Manager  
Martha Bradley, Town Attorney  
Luke Kinsland, Recreation Director  
Elizabeth Teague, Development Services Director  
Olga Grooman, Assistant Development Services Director  
Laura Yonkers, Deputy Director of Sustainability  
Hutch Reese, Deputy Director of Operations  
Fire Chief Chris Mehaffey  
Police Chief David Adams  
Page McCurry, Human Resources Director

The following members of the media were present:

Paul Nielsen, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and announced that Town Offices will be closed for MLK Jr. Day and the next Council meeting is January 27<sup>th</sup>.

**B. PUBLIC COMMENT**

Mac Moody- Mr. Moody said he is against the Pride Parade.

## C. ADDITIONS OR DELETIONS TO THE AGENDA

***A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to add item j. to the consent agenda, "Approve the signing of a letter that allows the Army Corps of Engineers to conduct a hazard mitigation study on the waterways in Waynesville and the ETJ . The motion passed unanimously.***

## D. CONSENT AGENDA

*All items below are routine by the Town Council and will be enacted by one motion. There will be no separate discussion on these items unless a Councilmember 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. Motion to approve the December 9, 2025 Regular Meeting Minutes
  - b. Motion to approve the Call for a Public Hearing for January 27, 2026, to consider text amendments to remove the mandatory waiting period requirement for the resubmission of map and text amendments, Land Development Standards (LDS) Section 15.14.6.
  - c. Motion to approve the Budget Amendment for Parks and Recreation, PARTF grant local match and application.
  - d. Motion to approve the Budget Amendment for PW Streets and Sanitation replacement vehicle.
  - e. Motion to approve the installation of a "Stop Sign" at Eagles Gap Road where it intersects Laurel Ridge Road.
  - g. Motion to approve the Gateway to the Smokies Ten Miler Special Event Permit
  - h. Motion to approve the Martin Luther King Jr. March Special Event Permit
  - i. Motion to approve the Pride On Main Special Event Permit
  - j. Motion to approve the signing of a letter that allows the Army Corps of Engineers to conduct a hazard mitigation study on the waterways in Waynesville and the ETJ.

***A motion was made by Councilmember Dickson, seconded by Councilmember Freeman, to remove item f. "Contractor Approval for Wastewater Treatment Plant Potable Water Supply for Disc Filters" from the consent agenda and place it onto the regular agenda and approve the consent agenda as amended. The motion passes unanimously.***

## E. PRESENTATIONS

4. Life Saving Chiefs Award
  - Chief David Adams, Luke Kinsland, Wes Woodbery

Chief Adams presented the Life Saving Chief's Award to Waynesville Recreation Center lifeguard staff, Cassie Todtenhagen, Claire Bishop, Kylie Wood, Michaela Staudinger, Addison Goodman. He recognized staff for their prompt, professional response to a recent serious accident that occurred on the pool deck. He said that their quick actions, teamwork, and accurate response were critical to the outcome of the incident and exemplify the high standard of safety and preparedness maintained at WRC.

5. Lt. Tamara Vander Day retirement and the granting of her duty weapon.

- Chief David Adams

Chief Adams thanked Lt. Tamara Vander Day for her dedicated 30 years of service to the Waynesville Police Department. He requested that the Town of Waynesville release and grant to Lt. Vander Day her duty weapon, which is a Glock 9mm Semi-Auto handgun serial # CBSM918.

6. Retirement of Telecommunicator Shelia Trull

- Chief David Adams

Chief Adams congratulated Shelia Trull on her retirement following 30 years of dedication to the Town of Waynesville.

7. Lieutenant Promotional Ceremony

- Fire Chief Chris Mehaffey

Fire Chief Mehaffey congratulated Fire Marshal Darrell Calhoun on his retirement after 27 years with the Town.

Fire Chief Mehaffey congratulated Jason Webb, Trey Silver, and Luke Palmer for their recent promotion to lieutenant.

8. Basecamp Afterschool & Summer Program Update Presentation

- Cameron Kanetzke, Programs Supervisor

Cameron Kanetzke and Allison Fuller presented an update on the Basecamp afterschool and summer programs. In their presentation, they included data that showed increased attendance, expansion to seven Haywood County schools, successful community partnerships through “Basecamp on the Go,” and outcomes from special events and school out-programming. They said that the 2024 Summer Camp season generated more than \$115,000 in revenue while serving 85–105 children weekly with minimal complaints. They outlined ongoing challenges related to van reliability and safety, along with a proposed fee schedule adjustment modeled after the existing afterschool rate structure. Mr. Kanetzke thanked Council for adjusting the fee schedule, and that they’ve seen families that haven’t able to afford camp in the past, are no able to participate. Mr. Kanetzke said given the number of programs they offer and the number of kids they transport, the vans are unreliable and they need to consider getting new vans. Councilmember Sutton said he will talk to Luke about the vans. Mr. Hites said staff will work on the report to buy a van which will come out of General Fund.

9. Dogwood Health Trust Grant Presentation

- William Hite, ESB Chair

Environmental Sustainability Chair William Hite reported that The Town of Waynesville has been awarded a \$487,532.40 grant from Dogwood Health Trust to launch the *Waynesville Command Center Collaborative Initiative*, aimed at enhancing the region’s emergency response capabilities. He explained that the grant will fund the installation of a solar/battery backup system at the Public Works building located at 129 Legion Drive,

ensuring a reliable emergency operations base for Waynesville and Haywood County. He added that this system will help coordinate disaster recovery efforts and restore essential utilities, especially during weather-related crises, by reducing dependence on the main electric grid.

Councilmember Feichter asked about C-LEAP deliverables and if one of the goals is to be able to replace peak shaving diesel generators. Mr. Hite said that is one of the three goals. Councilmember Dickson said they may be able to leverage more money because the IRA will allow a tax credit up to 40% back.

## **G. NEW BUSINESS**

### **10. Contractor Approval for Wastewater Treatment Plant Potable Water Supply for Disc Filters**

- Laura Yonkers, Deputy Director of Public Works-Sustainability

Deputy Director Laura Yonkers reported that Ashe Construction and Management (ACMI) has been selected to install a dedicated potable water supply line at the Town of Waynesville Wastewater Treatment Plant (WWTP) to provide clean, non-reclaimed water for backwashing the facility's disc filters. She explained that the use of potable water is necessary to properly clean the disc filters, maintain treatment efficiency, and ensure continued compliance with regulatory and operational standards. Ms. Yonkers said that this project will improve system reliability, reduce maintenance issues associated with inadequate backwashing, and support the long-term performance of the wastewater treatment process.

Ms. Yonkers stated that WWTP disc filters are a critical component of the treatment process, providing primary treatment of the wastewater influent and that proper backwashing of these filters is essential to prevent fouling, maintain flow capacity, and ensure consistent effluent quality. The current lack of a dedicated potable water supply for backwashing limits the effectiveness of the cleaning process. She explained that the selected contractor will:

- Install a new potable water line to serve the disc filter backwash system
- Coordinate connections with existing WWTP infrastructure
- Ensure all work meets applicable codes, standards, and safety requirements
- Restore disturbed areas upon completion
- Coordinate with Town staff to minimize operational disruptions

Ms. Yonkers said that once this is approved, the project should begin during the first quarter of Fiscal Year 2025-26 and should last approximately 6 weeks, subject to weather conditions and material availability.

***A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to approve the resolution of tentative award of the WWTP Potable Water Project to ACMI. The motion passed unanimously.***

### **11. Addition of part-time positions for Water Treatment and Waste Treatment Plants to support 24/7 operations.**

- Laura Yonkers, Deputy Director of Public Works-Sustainability

Deputy Director Laura Yonkers reported that the town of Waynesville's public works department is requesting approval to add part-time positions at both the water treatment and wastewater treatment plants to assist in maintaining the required 24/7 operational coverage. Ms. Yonkers explained while the new employees are actively working towards the necessary state licensure, they are not yet licensed to operate the plants independently. She added that obtaining proper licensure in North Carolina typically takes six to nine months. Ms. Yonkers stated that funding for the proposed part-time positions will be provided through existing Enterprise funds and that the anticipated cost is expected to be offset by a reduction in overtime expenses and will not require an increase in current rates or additional budget appropriations. Councilmember Feichter if these are permanent positions. Ms. Yonkers said these would be temporary until the new hires are fully licensed.

***A motion was made by Councilmember Dickson, seconded by Councilmember Freeman, to approve the addition of part-time operator positions for both the water treatment and wastewater treatment plants. The motion passed unanimously.***

12. Contractor Approval for Public Works Bank Stabilization Project

- Hutch Reece, Deputy Director of Public Works-Operations

Deputy Director Hutch Reece reported that Rhino Design Build LLC has been selected to perform the Public Works Bank Stabilization Project, which is necessary to address erosion and structural degradation resulting from the impacts of Hurricane Helene. He explained that the project area directly affects residential properties adjacent to the Public Works Complex and requires careful execution to protect public infrastructure, neighboring properties, and environmental resources. Mr. Reece said that while Rhino Design Build LLC was not the lowest bidder, the firm achieved the highest overall score through the Town's established evaluation process. He said the selection was based on a comprehensive assessment of qualifications, relevant experience, project approach, schedule, and demonstrated ability to complete the work safely and effectively under site-specific constraints. Mr. Reece added that this approach ensures the best overall value to the Town and minimizes risk associated with construction in a sensitive, residentially adjacent area.

***A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to approve the award of the Public Works Bank Stabilization Project to Rhino Design Build LLC. The motion passed unanimously.***

***A motion was made by Councilmember Dickson, seconded by Councilmember Freeman, to authorize initiation of the project during the third quarter of Fiscal Year 2025-2026 (FY25-26). The motion passed unanimously.***

13. Award of Construction Contract and Approval of Project Budget – Vance & Recreation Park Ballfields (Helene Damage Repair)

- Luke Kinsland, Parks and Recreation Director

Recreation Director Luke Kinsland reported that after soliciting bids for the Vance & Recreation Park Ballfields project, staff recommends awarding the construction contract to John Burgin Construction in the amount of \$154,085. This work includes field reconstruction and related improvements necessary due to damage sustained during Hurricane Helene. He added that staff requests approval of an overall project budget of

\$700,000 for the complete rebuild of the ballfields. He explained that while John Burgin Construction will perform the primary field work, the Town will separately bid and contract fencing, lighting, bleachers, and scoreboards. Mr. Kinsland emphasized that the Town will be saving money everywhere they can. He stated that Mr. Burgin said he could complete the fields before March 1st.

***A motion was made by Councilmember Sutton, seconded by Councilmember Feichter, to award the construction contract for the Vance & Recreation Park Ballfields project to John Burgin Construction in the amount of \$154,085. The motion passed unanimously.***

***A motion was made by Councilmember Dickson, seconded by Councilmember Feichter, to approve an overall project budget of \$700,000 for the Vance & Recreation Park Ballfields rebuild project. The motion passed unanimously.***

Mr. Hites said they will submit the projects for FEMA reimbursement.

Regarding Dutch Fisher Field, Mr. Kinsland said that Mr. McKay stated they are very close to being able to play ball and they just need to resolve the mole issue.

14. Establishment of Project Budget – Dog Park Project

- Luke Kinsland, Parks and Recreation Director

Recreation Director Luke Kinsland reported that staff requests approval to establish an overall project budget of \$430,741 for the Town's Dog Park project. He explained that this project's budget is based on CDC's construction cost estimate and includes additional project elements (site construction, fencing, lighting, landscaping, shade structures, and park amenities necessary to support the size and intended use of the dog park) identified during planning to ensure a complete, functional, and durable facility. He said roughly \$275,000 of the budget will be for grading and storm drainage. Mr. Kinsland said they are applying for a \$200,000 PARTF grant and they have already received a grant from the Tourism Development Authority, which would bring expenditures down to \$200,741. Mr. Hites added that the project will be submitted to FEMA for reimbursement.

Councilmember Freeman said it is a tremendous amount of money for a dog park and that the majority of people who visit the dog park don't live in Waynesville, so they're not paying for it. She agreed to vote in favor of the project if the estimate is tentative. Mr. Hites suggested applying for more funds from the TDA. Councilmember Feichter agreed that it seems expensive and asked if the dog park could be placed in the original place. Mr. Hites said it would cost over \$300K to put it in the same place, just for it to possibly flood again. Mr. Kinsland said they can work on this project in phases, so they aren't paying for the entire project in one budget cycle. Mr. Hites added that to help cut down on mobilization costs, they are bidding the fencing needed for all projects, lighting, etc.

***A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to establish an overall project budget of \$430,741 for the Dog Park project. The motion passed unanimously.***

15. Comprehensive Pay and Classification Study: Phase One Public Safety

- Page McCurry, Human Resources Director

Human Resources Director Page McCurry requested that Council consider a Memorandum of Agreement between the North Carolina League of Municipalities (“League”) and the Town of Waynesville (“Town”) for a comprehensive pay and classification study administered over a two-year cycle and recommendations for updates to the Town’s personnel policy to reflect current laws, regulations, and best HR practices. She said this Phase will focus on Fire and Police, and part of Public Works (enterprise fund divisions). Ms. McCurry said that best practice is to do a pay study every three years, and the last study was done six years ago.

***A motion was made by Councilmember Dickson, seconded by Councilmember Feichter, to approve the Memorandum of Agreement with the North Carolina League of Municipalities, and its subcontractor, The MAPS Group, to conduct a comprehensive Public Safety Classification and Pay Study and a review of the Personnel Policy, for a total fee of \$16,400.00 plus estimated expenses. The motion passed unanimously.***

**H. COMMUNICATION FROM STAFF**

16. Manager’s Report

- Town Manager, Rob Hites

There was nothing to report.

17. Town Attorney’s Report

- Town Attorney, Martha Bradley

There was nothing to report.

**I. COMMUNICATIONS FROM THE MAYOR AND COUNCIL**

Mayor Caldwell said the Cemetery Committee is wanting to meet with the Town Attorney.

**J. ADJOURN**

***A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to adjourn at 7:54pm. The motion passed unanimously.***

ATTEST:

\_\_\_\_\_  
Gary Caldwell, Mayor

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

\_\_\_\_\_  
Candace Poolton, Town Clerk

**TOWN OF WAYNESVILLE TOWN COUNCIL  
REQUEST FOR COUNCIL ACTION  
Meeting Date: January 27, 2026**

**SUBJECT:**       Order of Collection-2026

**AGENDA INFORMATION:**

**Agenda Location:**       Consent  
**Item Number:**  
**Department:**           Finance  
**Contact:**               Ian Barrett and Sharon Agostini  
**Presenter:**             Sharon Agostini, Tax Collector

**BRIEF SUMMARY:**

Each year the Town Council needs to issue an order of collection as required by NCGS 105-321. It is best practice for us to adopt this each year by September 1<sup>st</sup> when the bills are generated. We are requesting that the Town Council issue the order of collection now for the 2025 tax year and we will start doing this each tax year moving forward. The NCGS can be seen here <https://codes.findlaw.com/nc/chapter-105-taxation/nc-gen-st-sect-105-321/>.

**MOTION FOR CONSIDERATION:** To adopt the Order of Collection

**FUNDING SOURCE/IMPACT:**

**ATTACHMENTS:**

1. Order of Collection

**MANAGER'S COMMENTS AND RECOMMENDATIONS:**

State of North Carolina

Town of Waynesville

To the Tax Collector of the Town of Waynesville:

You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the office of the Town of Waynesville Tax Collector and in the tax receipts herewith delivered to you, in amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the Town of Waynesville, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with law.

Witness my hand and official seal, this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
(Seal)

Mayor of the Town of Waynesville

Attest:

\_\_\_\_\_

Clerk of Town of Waynesville

**TOWN OF WAYNESVILLE TOWN COUNCIL  
REQUEST FOR COUNCIL ACTION  
Meeting Date: 1/27/26**

**SUBJECT** JM Teague On-Call Contract Renewal

**AGENDA INFORMATION:**

**Agenda Location:** Consent Agenda  
**Item Number:**  
**Department:** Administration  
**Contact:** Jesse Fowler, Deputy Town Manager  
**Presenter:**

**BRIEF SUMMARY :**

This is a contract renewal for on-call engineering services provided by JM Teague Engineering. This is fee for services contract, and so there is no immediate budgetary impact.

**MOTION FOR CONSIDERATION:** N/A

**FUNDING SOURCE/IMPACT:** N/A

**ATTACHMENTS:** None

**MANAGER'S COMMENTS:**

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# 2026 Transportation Engineering & Planning Services Proposal, Fee, and Scope of Services

For  
Town of Waynesville, NC

Prepared For:

Town of Waynesville  
Robert Hites, Town Manager  
[rhites@waynesvillenc.gov](mailto:rhites@waynesvillenc.gov)  
9 South Main Street, Suite 110  
Waynesville, North Carolina 28786

Prepared By:

Candace Hladick, Transportation Planner  
J.M. Teague Engineering & Planning  
[candace.hladick@jmteagueengineering.com](mailto:candace.hladick@jmteagueengineering.com)  
828.456.8383

JMTE #: WAYN 1400

## CLIENT AND ENGINEER PROFESSIONAL SERVICES AGREEMENT

This agreement is made, entered into and effective this \_\_\_\_ day of \_\_\_\_\_ 2025 by  
and between:

**ENGINEER:**

**CLIENT:**

Firm: J.M. Teague Engineering, PLLC  
Address 1 1155 N. Main St  
Address 2 Waynesville, NC 28786  
Phone: 828.456.8383  
Name: David W. Hyder, PE  
Title: Engineer Director

Company: Town Waynesville  
Address 1 9 South Main Street, Suite 110  
Address 2 Waynesville, NC 28786  
Phone: 828.452.2491  
Name: Robert Hites  
Title: Town Manager  
(SEAL)

**Signature:** \_\_\_\_\_

**Signature:** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Date:** \_\_\_\_\_

*I accept the terms of this agreement*

JMTE – WAYN 1400 – 2026 Transportation Engineering and Planning Services Town of  
Waynesville, NC

In addition to the matters set forth herein, our Agreement shall include and shall be subject to the Standard Provisions, which are attached hereto and incorporated herein. If you concur and wish us to proceed with services described in the Agreement, please return a signed copy of this Agreement executed by a properly authorized individual in the space provided above.

The parties acknowledge and agree that the initial lines at the bottom of each page of this Agreement are merely evidence of their having reviewed the terms of each page of this Agreement.

## PROJECT BACKGROUND AND UNDERSTANDING

Selecting a traffic engineer for your project is crucial for its success. By choosing J.M. Teague Engineering & Planning, you benefit from direct engagement with senior staff and ownership, deep expertise in government procedures, consistent project advocacy, innovative problem-solving, and frequent progress updates.

J.M. Teague Engineering & Planning (Engineer) understands that the Town of Waynesville (Client) occasionally requires Transportation Engineering and Planning services to support ongoing Town priorities and projects. Over the past years, J.M. Teague Engineering & Planning has provided a wide range of Transportation Engineering and Planning services, including sight-distance assessments, intersection reviews, speed analyses, traffic calming studies, volume counts, and transportation-related land-use planning. The purpose of this proposal is to establish an ongoing professional contract for the Town's use through 2026.

This proposal outlines the scope of services the Engineer will provide to support Town staff on projects that require transportation engineering and planning expertise. Under this scope of services, the Engineer will continue to provide transportation engineering and planning services on an on-call basis.

## SCOPE OF SERVICES

This professional services contract is intended to replace any existing contracts between the Town of Waynesville and J.M. Teague Engineering & Planning. The scope of this proposal is broad, with the intent that a wide variety of transportation-related engineering or planning tasks may be requested.

The following is a list of potential tasks:

- AutoCAD Services
- Conceptual Design
- Corridor Assessment
- Data Collection
- Event Planning & Layout
- GPS Collection
- GIS Map Design
- Intersection Safety Assessment
- Land Use Review
- Meetings or Presentations
- NCDOT Collaboration
- Ordinance Review & Development
- Parking Studies or Design
- Pavement Marking Design
- Pavement Assessment
- Public Input Sessions & Facilitation
- Regulatory Sign Assessment
- Roadway Design Standards Review
- Roadway Safety Review
- Speed Limit Reviews
- Technical Research
- Technical Review of Town Standards
- Technical Review of Traffic Engineering Reports Submitted to the Town by others
- Report Preparation
- Traffic Calming Assessment
- Traffic Impact Analysis
- Work Zone Traffic Control Training
- Zoning Review & Recommendations

## PROJECT DELIVERY

Work will begin on each Task once the Engineer receives a notice to proceed from the Client and the information required for the work has been shared with the Engineer.

The project delivery time for each Task will vary and should be negotiated at the time of the request.

## QUALITY ASSURANCE AND QUALITY CONTROL

J.M. Teague Engineering & Planning (JMTE) recognizes that the disciplines of quality, health, safety, and environmental management are integral to its management function. We successfully deliver engineering, planning, and/or JMTE Academy training projects using adopted quality assurance and control processes and procedures. At JMTE, numerous methods and techniques govern not only the health and safety of our employees and our environmental responsibility, but best practices from project pursuit through project execution and measuring Client satisfaction. JMTE believes that our professional services and project deliverables must meet or exceed our Client's expectations, the first time every time, and reflect and advance our company's mission. We look forward to sharing and demonstrating our passion for quality with each Client.

## FEE STRUCTURE

Table 1 shows the estimated professional hourly rates. Once the Town staff submits a written request for engineering or planning services, they should provide or negotiate a budget for that task or set of tasks. The JMTE team will proceed with work on those tasks on a per-hour basis. If the estimated budget is reached, work will cease until the Town approves additional funds for that task. If the Town changes the scope or parameters of a task at any time during the project, additional fees may be required. The client will be provided with an update on anticipated fee changes before any additional work begins.

*Table 1: 2026 Hourly Rates*

<b>JOB TITLE</b>	<b>HOURLY RATE</b>
Principal Engineer	\$200
Engineering Director	\$170
Transportation Engineer	\$150
Transportation Planner / GIS Specialist	\$120
Sr. Engineering Technician	\$100
Engineering Technician	\$80
Administrative Staff	\$70

The Engineer typically submits invoices to the Client for services performed and expenses incurred in the previous month. If the final product has yet to be delivered upon the invoicing date, the invoice will reflect a percent complete, tasks complete, hours worked so far, or similar denotation. A final invoice will accompany the final product delivery and will be denoted as such. Payment of each invoice will be due within 30 days of receipt. Interest at the rate of 1.5% monthly will be added to accounts not paid within 30 days. If the Client fails to make any payment due to the Engineer for services and expenses within 45 days after the Engineer's transmittal of its invoice, the Engineer may suspend services until the Client pays all amounts in full.

**Example Changes that May Cause Scope Changes or Delays**

- Access location,
- Number of Site Access Points,
- Number of Intersections Analyzed,
- Additional Traffic Counts,
- Trip Distribution,
- Other Significant Changes

*The Engineer reserves the right to delay work or withhold work products for unpaid or outstanding invoices. Delays of this nature may cause substantial schedule slippage as work is re-prioritized.*

If this proposal is acceptable, please sign on page 2 and initial each page thereafter on the bottom right-hand corner and return it to us. If work must begin before the contract execution, a written notice to proceed will suffice as an interim agreement contract execution. Terms, fees, and conditions are valid for 30 business days from the date of this proposal.

## STANDARD PROVISIONS

### J.M. Teague Engineering, PLLC

(1) Engineer's Scope of Services: The undertaking of the Engineer to perform professional services extends only to those services specifically described in this Agreement. However, if requested by the Client and agreed to by the Engineer, the Engineer will perform additional services through individual arrangements and agreements.

(2) Client's Responsibilities: In addition to other responsibilities described herein or imposed by law, the Client may be required to:

(a) Designate in writing a person to act as its representative with respect to this Agreement, such person having complete authority to transmit instructions, receive information, and make or interpret the Client's decisions.

(b) Provide to the Engineer all previous studies, plans, or other documents pertaining to the project; Client's requirements and criteria; standards to be followed; and all new information reasonably necessary; upon all of which the Engineer may rely.

(c) Arrange for access to the site and other property and obtain approvals and permits required for the Engineer to provide its services.

(d) Review all documents or verbal reports presented by the Engineer and render in writing decisions pertaining thereto within a reasonable time so as not to delay the services of the Engineer.

(e) Provide such overall feasibility services such as independent accounting, legal, insurance, and cost estimating as the client may require or the Engineer may reasonably request.

(f) Give prompt written notice to the Engineer wherever the Client becomes aware of any development that affects the scope and timing of the Engineer's services or any defect or noncompliance in any aspect of the project.

(g) Bear all costs incident to the responsibilities of the Client.

(3) Period of Services: This Agreement has been entered into in anticipation of conditions permitting continuous and orderly progress through the completion of the Engineer's services. Times for performance shall be extended to the extent necessary for delays due to circumstances the Engineer does not control. If such delay or suspension extends for more than one year (cumulatively), the rates of compensation provided for in the Agreement shall be renegotiated.

(4) Method of Payment: Compensation shall be paid to the Engineer in accordance with the following provisions:

(a) Invoices will be submitted on a regular basis, usually monthly, by the Engineer to the Client for services performed and expenses incurred the previous month. If the final product has not yet been delivered upon the invoicing date, the invoice will reflect a percent complete, tasks complete, hours worked so far, or similar denotation. A final invoice will accompany the final product delivery and will be denoted as such. Payment of each invoice will be due within 30 days of receipt. Interest at the rate of 1.5% monthly will be added to accounts not paid within 30 days. If the Client fails to make any payment due the Engineer for services and expenses within 45 days after the Engineer's transmittal of its invoice, the Engineer may suspend services until all amounts are paid in full.

(b) If the Client objects to any invoice, it must advise the Engineer in writing giving its reasons within 14 days of receipt of the invoice or the Client's objections shall be waived, and the invoice shall conclusively be deemed due and owing.

(c) If the Engineer initiates legal proceedings to collect payment for services, it may recover in addition to all amounts due, its reasonable attorneys' fees, reasonable experts' fees, and other expenses related to the proceedings. Such expenses shall include the cost, at the Engineer's normal hourly billing rates, of the time devoted to such proceedings by its employees.

(d) The Client acknowledges and agrees that the payment for services rendered and expenses incurred by the Engineer pursuant to this Agreement is not subject to any contingency or conditions unless expressly set forth in this Agreement.

(5) Use of Documents: All documents, including but not limited to drawings, specifications and data or programs stored electronically, prepared by the Engineer are related exclusively to the services described herein. They are not intended or represented to be suitable for partial use or reuse by the Client or others on extensions of this project or on any other project. Any modifications made by the Client or any partial use or reuse without written authorization or adaptation by the Engineer will be at the Client's sole risk and without liability or legal exposure to the Engineer, and the Client shall indemnify, defend and hold the Engineer harmless from all claims, damages, losses and expenses, including but not limited to attorneys' fees, resulting therefrom. Any authorization or adaptation will entitle the Engineer to further compensation at rates to be agreed upon by the Client and the Engineer. Copies of Documents that may be relied upon by Client are limited to the printed copies (also known as hard copies) signed or sealed by the Engineer. Files in electronic media format of text, data, graphics, or of other types furnished by Engineer to Client are only for convenience of Client.

Any conclusion or information obtained or derived from such electronic files will be at the user's sole risk. Because data stored in electronic media format can deteriorate or be modified inadvertently or otherwise without authorization of the data's creator, the Client, after receiving electronic files, agrees to perform acceptance tests or procedures within 60 days, after which the Client shall be deemed to have accepted the data. Any errors detected within the 60-day acceptance period will be corrected by the Engineer. Engineer shall not be responsible to maintain documents stored in electronic media format after acceptance by Client. When transferring documents in electronic media format, Engineer makes no representations as to long term compatibility, usability, or readability of documents resulting from the use of software application packages, operation systems, or computer hardware differing from those used by Engineer at the beginning of this Project. If there is a discrepancy between the electronic files and the hard copies, the hard copies govern.

(6) Opinions of Cost: Because the Engineer does not control the cost of labor, materials, equipment, services furnished by others, methods of determining prices, competitive bidding or market conditions, any opinion rendered as to costs shall be made on the basis of its experience and represent its judgment as an experienced and qualified professional, but the Engineer cannot and does not guarantee that proposals, bids or actual costs will not vary from its opinions of cost. If the Client wishes greater assurance as to the amount of any cost, it shall employ an independent cost estimator.

Client Initials: \_\_\_\_\_

(7) Extension: If applicable, the terms of this Agreement may be extended for a period of time equal to the original agreement time frame or any portion thereof. In order to execute an Agreement extension both parties must sign and date an "Agreement Extension Addendum" as provided by the Engineer. An Agreement extension beyond the original terms can also be re-negotiated via the execution of a modified Agreement.

(8) Termination: This agreement may be terminated by either party upon thirty (30) days written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party. In the event of any termination, the Engineer will be paid for all services rendered and expenses incurred to the effective date of termination, and other reasonable expenses incurred by the Engineer as a result of such termination.

(9) Insurance: The Engineer is protected by professional liability insurance, and general liability insurance for bodily injury and property damage and will exchange certificates of insurance upon request.

(10) Expenses of Litigation: If the Client or its contractors initiate legal proceedings against the Engineer, its contractors, or its subcontractors related to the Engineer's services, and such proceedings conclude with the entry of a final judgment favorable to the Engineer, the Client shall reimburse the Engineer for all of its reasonable attorneys' fees, reasonable experts' fees, and other expenses related to the proceedings. Such expenses shall include the cost, at the Engineer's normal hourly billing rates, of the time devoted to the proceedings by the Engineer's employees.

(11) Dispute Resolution: If and to the extent that Client and Engineer have agreed on a method and procedure for resolving disputes between them arising out of or relating to this Agreement, such dispute resolution method and procedure, if any, is set forth in an Exhibit attached to this Agreement. Client and Engineer agree to negotiate in good faith for a period of thirty days from date of notice of all disputes prior to exercising their rights under any Exhibit or under law.

(12) Hazardous Substances: It is understood and agreed that in seeking the professional services of the Engineer, the Client does not request the Engineer to undertake to perform any services, studies, or tests, or to make any determinations involving hazardous substances or conditions, as defined by federal or state law. Therefore, the Engineer undertakes no such obligation, and the Client agrees to hold harmless, indemnify, and defend the Engineer from and against any and all claims, losses, damages, liability, and costs arising out of or in any way connected with the presence, discharge, release, or escape of hazardous substances or conditions of any kind, or environmental liability of any nature, in any manner related to services performed by the Engineer. If any hazardous substance or condition is observed or reasonably suspected by the Engineer, it shall have the right to cease all services until the hazardous substance or condition has been eliminated. The Engineer shall notify the Client of any such substance or condition of which the Engineer becomes aware, and the Client shall be solely responsible for its elimination.

(13) Assignment: Nothing in this Agreement shall be construed to give any rights or benefits in this Agreement to anyone other than the Client and the Engineer, and all duties and responsibilities undertaken pursuant to this Agreement will be for the sole and exclusive benefit of the Client and the Engineer and not for the benefit of any other party. Neither the Client nor the Engineer shall assign, sublet, or transfer any rights under or interest in this Agreement without the written consent of the other, except that the Engineer may retain sub-consultants as it deems appropriate.

(14) Confidentiality: The Client consents to the use and dissemination by the Engineer of photographs of the Project and to the use by the Engineer of facts, data and information obtained by the Engineer in the performance of its services. If, however, any facts, data or information is specifically identified in writing by the Client as confidential, the Engineer shall use reasonable care to maintain the confidentiality of that material.

(15) Miscellaneous Provisions: This Agreement is to be governed by the laws of the State of North Carolina. This Agreement shall bind, and the benefits thereof shall inure to the respective parties hereto, their legal representatives, executors, administrators, successors and assigns. This Agreement contains the entire and fully integrated agreement between the parties hereto and supersedes all prior and contemporaneous negotiations, representations, agreements, or understandings, whether written or oral. This Agreement can be supplemented or amended only by a written document executed by both the Engineer and the Client. Provided, however, that conflicting or additional terms on any purchase order issued by the Client shall be void and are hereby expressly rejected by the Engineer. Any provision in this Agreement that is prohibited or unenforceable in any jurisdiction shall, as to such jurisdiction, be ineffective to the extent of such prohibition or unenforceability without invalidating the remaining provisions hereof or affecting the validity or enforceability of such provision in any other jurisdiction. Also, the non-enforcement of any provision by either party shall not constitute a waiver of that provision nor shall it affect the enforceability of that provision or of the remainder of this Agreement.

(16) Liability: In performing its professional services, the Engineer will use that degree of care and skill ordinarily exercised, under similar circumstances, by reputable members of its profession practicing in the same or similar locality at the time the services are provided. No warranty, express or implied, is made or intended by the Engineer's undertaking herein or its performance of services hereunder, and it is agreed that the Engineer is not a fiduciary with respect to the Client. To the fullest extent of the law, and notwithstanding any other provisions of this Agreement, the total liability, in the aggregate of the Engineer and the Engineer's officers, directors, employees, agents and sub-consultants to the Client or to anyone claiming by, through or under the Client, for any and all claims, losses, costs or damages whatsoever arising out of, resulting from or in any way related to the services under this Agreement from any cause or causes including but not limited to, the negligence, professional errors or omissions, strict liability or breach of contract or any warranty, express or implied, of the Engineer or the Engineer's officers, directors, employees, agents, or sub-consultants shall not exceed the total compensation received by the Engineer under this Agreement or \$5,000 whichever is greater. Under no circumstances shall the Engineer be liable for lost profits, consequential damages or for extra costs or other consequences due to changed conditions or for costs related to the failure of the contractor to perform work in accordance with the plans and specifications.

(17) Client consents to the use of their name, logo, and/or project photographs as part of the creation and distribution of marketing materials by Engineer. These said materials will be used solely for marketing, portfolio presentation, and advertising purposes. Client understands that said materials will be made available to potential clients, on the Engineer's company website, and for conference presentation purposes.

Client Initials: \_\_\_\_\_

**TOWN OF WAYNESVILLE TOWN COUNCIL  
REQUEST FOR COUNCIL ACTION  
Meeting Date 01/27/2026**

**SUBJECT:** Promotion of Paige Shell to Lieutenant

**AGENDA INFORMATION:**

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

**BRIEF SUMMARY:**

**Sgt. Paige Shell has been promoted to Lieutenant of Criminal Investigations.**

**MOTION FOR CONSIDERATION**

**FUNDING SOURCE/IMPACT:**

---

Ian Barrett, Finance Director

Date

**ATTACHMENT:**

**MANAGER'S COMMENTS:**

**TOWN OF WAYNESVILLE TOWN COUNCIL  
REQUEST FOR COUNCIL ACTION  
Meeting Date: 1/27/26**

**SUBJECT** Presentation of awards to 2025 Christmas parade winners

**AGENDA INFORMATION:**

**Agenda Location:**

**Item Number:**

**Department:** DWC

**Contact:** Beth Gilmore

**Presenter:** Eva Hansen, Kiwanis Club President

**BRIEF SUMMARY :** The Kiwanis Club would like to present first-, second- and third- place plaques to the top three Christmas parade winners.

**MOTION FOR CONSIDERATION:** N/A

**FUNDING SOURCE/IMPACT:** N/A

**ATTACHMENTS:** None

**MANAGER'S COMMENTS:**

**TOWN OF WAYNESVILLE TOWN COUNCIL  
REQUEST FOR COUNCIL ACTION  
Meeting Date: January 27, 2026**

**SUBJECT:** Endorsement of Medford Grant Application

**AGENDA INFORMATION:**

**Agenda Location:** Presentation

**Item Number:**

**Department:**

**Contact:** Josie Ostendorff & Breanne Haynes-Impact U Club and Eric Sollie

**Presenter:** Josie Ostendorff & Breanne Haynes

**BRIEF SUMMARY:**

Breanne and Josie serve on the Impact U service club with Tuscola High School. In July, they presented to Council a project that involves installing a flood memorial public art piece at the Waynesville Fire Department Station 1 that will represent the resilience, unity, and strength of Waynesville and greater Haywood County throughout the flood. The students have been working with Grace Cathey, a local metal artist, to create the preliminary design. The students are fundraising for the project and are requesting an endorsement and letter of support from Council for their grant application to the Mib and Phil Medford Endowment fund to provide landscaping for the project.

**MOTION FOR CONSIDERATION:** To endorse Impact U for their application to the Medford Grant for the Helene Flood Memorial landscaping

**FUNDING SOURCE/IMPACT:** N/A

**ATTACHMENTS:**

Letter of support and endorsement request

**MANAGER'S COMMENTS AND RECOMMENDATIONS:**



1/20/2026

[www.helenefloodmemorial.com](http://www.helenefloodmemorial.com)

Dear Waynesville Town Council,

On behalf of the Helene Flood Memorial project, we are requesting the Town Council's endorsement of a grant application to the Mib and Phil Medford Endowment Fund to help cover the cost of landscaping for both the grounds and the area framing the sculpture.

The public art piece is being spearheaded by the Tuscola High School Impact U Club members to honor the resilience of our community and first responders in the wake of Hurricane Helene. The sculpture commissioned by Grace Cathey is currently underway.

While the cost of the sculpture and installation will be covered by fundraising and community sponsors, the landscaping remains an essential component to elevate the site, provide a welcoming space, and lay the groundwork for the site to become a pocket park in the future.

We are seeking the Mib and Phil Medford Endowment Fund to contribute to landscaping costs, and establish the space as a central focal point of the town intended for long-term community use.

The Impact U Club would like to thank the Town Council for previous support and endorsement of the project to be located on town property at the Waynesville Fire Station. We are also grateful to Fire Chief Mehaffey for being an incredibly supportive figure in this process, and to the Waynesville Public Art Commission for their endorsement and enthusiasm for this future public art piece.

We respectfully request the Town's endorsement as we move forward with the Mib and Phil Medford Endowment Fund application. More details about the project are attached.

Sincerely,

**Josie Ostendorff**

*Tuscola Senior, president of Impact U Club*

**Breanne Haynes**

*Tuscola Senior, secretary of Impact U Club*

# Helene Flood Memorial Landscaping Grant Proposal

January 2026

## Goal

*To obtain funding from the Mib and Phil Medford Endowment Fund for landscaping and beautification at the site of the Helene flood memorial and public art piece.*

## Project overview

A new public art piece honoring the heroes of Helene and commemorating the community's resilience and unity will be installed at Waynesville Fire Station I.

The site is located along a highly-visible corridor and primary entrance to town — both for vehicular traffic and pedestrians. The triangular site is bordered on two sides by street frontage with sidewalk.

The site is currently a vacant grass field, but has the potential to become a focal point when approaching a primary gateway into town. The site also has potential to become a future pocket park or minipark, given its proximity to the new pedestrian facilities tying the roundabout to the Waynesville Recreation Park.

For more details about the project, see [helenefloodmemorial.com](http://helenefloodmemorial.com).

## Grant funding request

A fundraising goal of \$20,000 will cover the design, fabrication and installation of the piece, along with in-kind assistance from the Waynesville Public Services department.

The project budget currently does not include landscaping, however.

Grant funding of \$14,000 is being sought from the Mib and Phil Medford Endowment Fund to provide landscaping and site beautification.

Funding is desperately needed to provide key landscape components, including a dry river bed and boulders to surround the base of the art piece — providing an area for viewing and contemplation, as well as evoking the sense of the piece rising up from a river.

The surrounding landscape elements are crucial to visually unify the public art piece to the site. In addition, landscape funding would help fund brick materials for a walkway leading from the public sidewalk to the memorial.

## **Project specifications**

Joseph Cathey of the locally owned-and-operated Walnut Cove Landscaping has been commissioned to develop a landscaping plan for the site, including:

- Dry river bed and boulder design surrounding the base of the public art piece
- Site plantings and potential future bench placement
- Design/placement of brick walkway leading from the public sidewalk at the street to the public art piece for viewing

The landscape design will be reviewed and finalized in consultation with Town of Waynesville designees, including Waynesville Fire Chief Chris Mehaffey and the Town's Horticulture/Public Services/Grounds Maintenance.

In-kind labor for the installation of the dry river bed and brick sidewalk will be provided by the Tuscola Masonry students under the guidance of Masonry Instructor Eric Sollie.

A breakdown of the project budget and the landscape design will be completed by the Town Council meeting on Tuesday, Jan. 27.

## **About the grant fund**

The Mib and Phil Medford Endowment Fund provides grants for beautification, streetscape improvements and other public amenities within the city limits of the Town of Waynesville, North Carolina or its defined extra-territorial jurisdictions for the purpose of enhancing economic prosperity, a healthy community and the arts for public enjoyment. Grants should support specific projects, initiatives or efforts rather than provide general operating support.

The Mib and Phil Medford Endowment Fund is managed by the Fund for Haywood County. There is one grant cycle annually of \$14,000. Available funding can be split between applicants, or the entire \$14,000 can be awarded to one project/applicant. Applicants must be a non-profit or governmental entity.

- Projects offering matching support (cash and/or in-kind) are preferred over those without any match.
- Projects taking place on Town of Waynesville property are strongly preferred.
- Projects should be completed within one year of receipt of grant funds.

The deadline for the 2026 Mib and Phil Medford Endowment Fund grant application is 5 p.m. Friday, Feb. 6. For more information, see <https://cfwnc.org/grants/the-fund-for-haywood-county>.

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



Robert W. Hites, Jr., Town Manager  
Martha Sharpe Bradley, Town Attorney

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January 27<sup>th</sup>, 2026

Dear Members of the Mib and Phil Medford Endowment Fund,

On behalf of the Town of Waynesville Town Council, I am pleased to offer our strong support for the Helene Flood Memorial Landscaping Grant application submitted in partnership with the Tuscola High School Impact U Club.

The Helene Flood Memorial is a meaningful public art project that honors the resilience of our community and the dedication of first responders following Hurricane Helene. The memorial, to be located on Town property at Waynesville Fire Station I, will serve as a lasting tribute and a place of reflection along one of Waynesville's most visible gateways.

While the sculpture itself is being fully funded through private fundraising and community sponsorships, the accompanying landscaping is a critical element in ensuring the site is welcoming, accessible, and cohesive. The proposed landscaping — including a dry river bed, boulders, plantings, and a brick walkway — will enhance the memorial's visual impact, improve pedestrian access, and lay the foundation for the site's long-term potential as a pocket park and community gathering space.

This project aligns closely with the mission of the Mib and Phil Medford Endowment Fund by advancing beautification, public art, and community-centered placemaking within the Town of Waynesville. The project also demonstrates strong local collaboration, with in-kind support from the Town of Waynesville, guidance from the Waynesville Fire Department and Public Services staff, and installation assistance from Tuscola High School masonry students.

The Town Council has previously endorsed the Helene Flood Memorial and is proud to continue supporting this student-led initiative. We believe the landscaping component is essential to the success and longevity of the memorial and respectfully encourage favorable consideration of this grant request.

Thank you for your continued investment in projects that enhance the beauty, history, and cultural life of Waynesville.

Sincerely,

Gary Caldwell, Mayor  
Town of Waynesville, North Carolina

16 South Main Street • P.O. Box 100 • Waynesville, NC 28786 Phone (828) 452-2491 Fax (828)456-2000

**Web Address: [www.waynesvillenc.gov](http://www.waynesvillenc.gov)**

*This institution is an equal opportunity provider*

**TOWN OF WAYNESVILLE TOWN COUNCIL  
REQUEST FOR COUNCIL ACTION  
Meeting Date: 1/27/2026**

**SUBJECT** Presentation regarding activities of the Environmental Sustainability Board

**AGENDA INFORMATION:**

**Agenda Location:** Presentation

**Item Number:**

**Department:**

**Contact:** Chuck Dickson

**Presenter:** William Hite

**BRIEF SUMMARY** Receive Presentation regarding electric vehicle education

**MOTION FOR CONSIDERATION:** None

**FUNDING SOURCE/IMPACT** None

**ATTACHMENTS** None

**MANAGER'S COMMENTS** None

**TOWN OF WAYNESVILLE COUNCIL  
REQUEST FOR COUNCIL ACTION  
Meeting Date: 27 January 2026**

**SUBJECT:** 2025 Annual Report

**AGENDA INFORMATION:**

**Agenda Location:**

**Item Number:**

**Department:** Fire

**Contact:** Chris Mehaffey

**Presenter:** Chris Mehaffey

**BRIEF SUMMARY:**

Brief overview of 2025 Fire Department Annual Report with questions/answers.

**MOTIONS FOR CONSIDERATION:** None

**FUNDING SOURCE/IMPACT:** None

**MANAGER'S COMMENTS AND RECOMMENDATIONS:** Recommend approval

Waynesville Fire Department



# ANNUAL REPORT 2025





# A Word from the Fire Chief



IT IS AN HONOR TO PRESENT THIS FIRST ANNUAL REPORT AS FIRE CHIEF. STEPPING INTO THIS ROLE HAS BEEN BOTH HUMBLING AND REWARDING, AND I AM GRATEFUL FOR THE TRUST PLACED IN ME BY OUR COUNCIL, OUR TOWN LEADERSHIP TEAM, OUR COMMUNITY, AND—MOST IMPORTANTLY—THE DEDICATED MEN AND WOMEN OF THIS DEPARTMENT. I ALSO WANT TO ACKNOWLEDGE ALL THAT CHIEF JOEY WEBB DID TO PREPARE ME FOR THIS POSITION. I WOULD NOT BE WHERE I AM WITHOUT HIS GUIDANCE AND WISDOM.

THIS PAST YEAR REFLECTS THE STRENGTH OF A SMALL CAREER DEPARTMENT THAT CONSISTENTLY DELIVERS BIG RESULTS. OUR MEMBERS RESPONDED TO ALL HAZARDS WITH PROFESSIONALISM AND SKILL, OFTEN UNDER CHALLENGING CONDITIONS. WHETHER ANSWERING CALLS FOR FIRE SUPPRESSION, EMERGENCY MEDICAL SERVICES, TECHNICAL RESCUE, OR PUBLIC ASSISTANCE, OUR PERSONNEL REMAINED FOCUSED ON ONE MISSION: PROTECTING THE LIVES, PROPERTY, AND THE WELL-BEING OF OUR COMMUNITY. MOST IMPORTANTLY, THEY DID THIS WITH HUMILITY, CARING, AND COMPASSION.

A CHANGE IN LEADERSHIP CAN BE A CHALLENGE, BUT OUR MEMBERS HAVE ADAPTED EFFORTLESSLY. AS A NEW CHIEF, I HAVE TRIED TO TAKE THE TIME TO LISTEN, LEARN, AND EVALUATE WHERE WE ARE AS AN ORGANIZATION. THIS REPORT HIGHLIGHTS NOT ONLY OUR CALL VOLUME AND OPERATIONAL OUTCOMES, BUT ALSO OUR ONGOING EFFORTS TO IMPROVE TRAINING, SAFETY, AND OPERATIONAL EFFICIENCY. IT ALSO POINTS TOWARD OPPORTUNITIES FOR GROWTH—IMPROVING STAFFING, SUPPORTING OUR WORKFORCE, AND STRENGTHENING PARTNERSHIPS THAT ALLOW US TO SERVE MORE EFFECTIVELY.

I AM PROUD OF THE WORK ACCOMPLISHED THIS YEAR AND CONFIDENT IN THE DIRECTION WE ARE HEADED. ON BEHALF OF THE MEMBERS OF WAYNESVILLE FIRE DEPARTMENT, THANK YOU FOR YOUR CONTINUED SUPPORT. WE REMAIN COMMITTED TO EARNING YOUR TRUST EVERY DAY WITH “HONOR, COMPASSION, COURAGE, AND COMMITMENT”. WE TRULY KNOW THAT OUR COMMUNITY IS THE REASON FOR OUR EXISTENCE AND SERVE WITH THIS IN THE FOREFRONT OF OUR MIND!

**CHRIS MEHAFFEY, FIRE CHIEF**

# Waynesville Fire Department



## MISSION

THE PRIMARY MISSION OF THE WAYNESVILLE FIRE DEPARTMENT IS TO PROTECT AND ENHANCE THE HIGH QUALITY OF LIFE FOR THE CITIZENS AND VISITORS OF THE TOWN OF WAYNESVILLE FROM THE ADVERSE EFFECTS OF NATURAL AND MAN-MADE EMERGENCIES.

## VISION

“THE WAYNESVILLE FIRE DEPARTMENT MEMBERS RECOGNIZE THAT THE CITIZENS OF THE WAYNESVILLE FIRE DISTRICT ARE THE REASON FOR OUR PRESENCE AND WILL PROTECT THEM WITH “HONOR, COMPASSION, COURAGE, AND COMMITMENT”.

## EXPECTATIONS

1. MAINTAIN AND PROMOTE A WINNING ATTITUDE
2. PRACTICE THE GOLDEN RULE
3. BE A TEAM PLAYER
4. SEEK EXCELLENCE
5. DO THAT WHICH IS RIGHT
6. STAY FOCUSED
7. PARTICIPATE
8. CAPITALIZE ON ADVERSITY

# Department Demographics



**25 SQUARE MILES**

(CITY LIMITS AND FIRE DISTRICT)

**14,000 POPULATION**

(CITY LIMITS AND FIRE DISTRICT)

**23 FULL-TIME**

PERSONNEL

**27 PART-TIME**

PERSONNEL

**2**

FIRE  
STATIONS

**4**

ENGINES

**1**

LADDER

**1**

TANKER

**1**

BRUSH  
TRUCK

**1**

SERVICE  
TRUCK

**2**

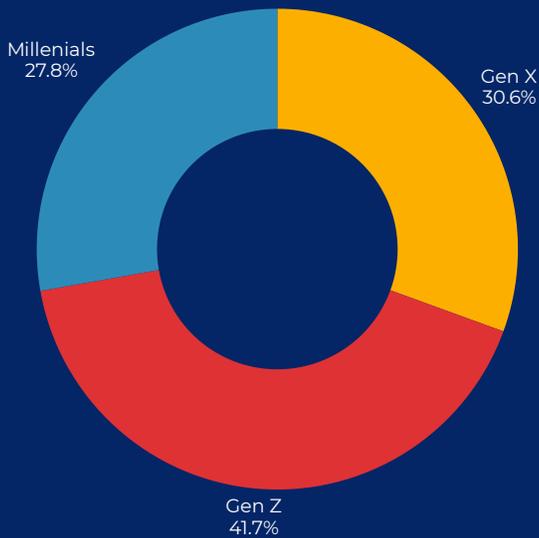
MEDICAL  
QRV'S

**2**

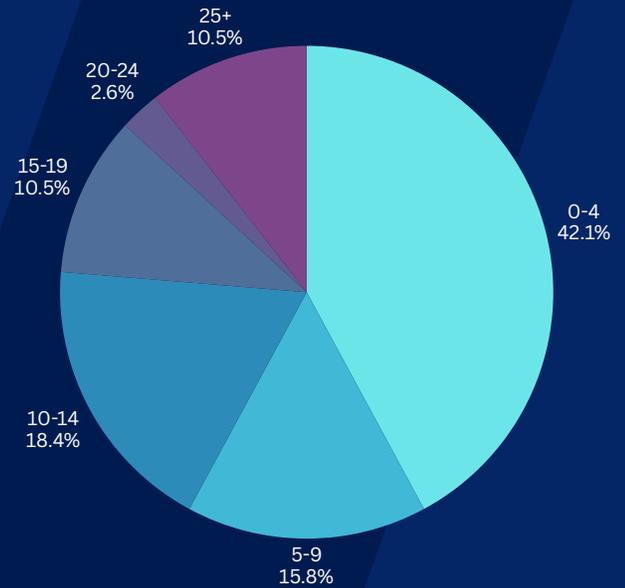
UTV'S

# Department Demographics

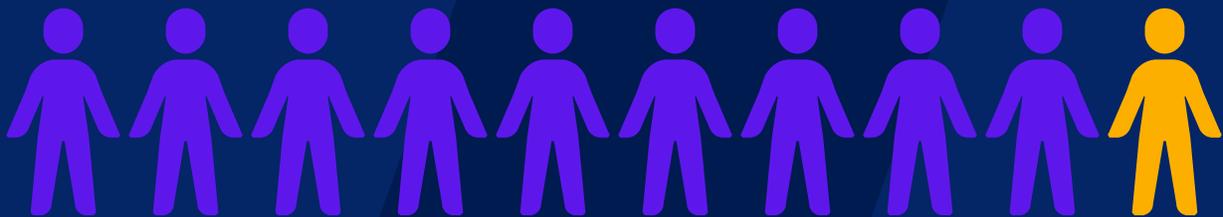
## AGE OF PERSONNEL AVERAGE AGE: 37



## LENGTH OF SERVICE AVERAGE: 9 YEARS



**GENDER**  
47 MALE (94%)  
3 FEMALE (6%)

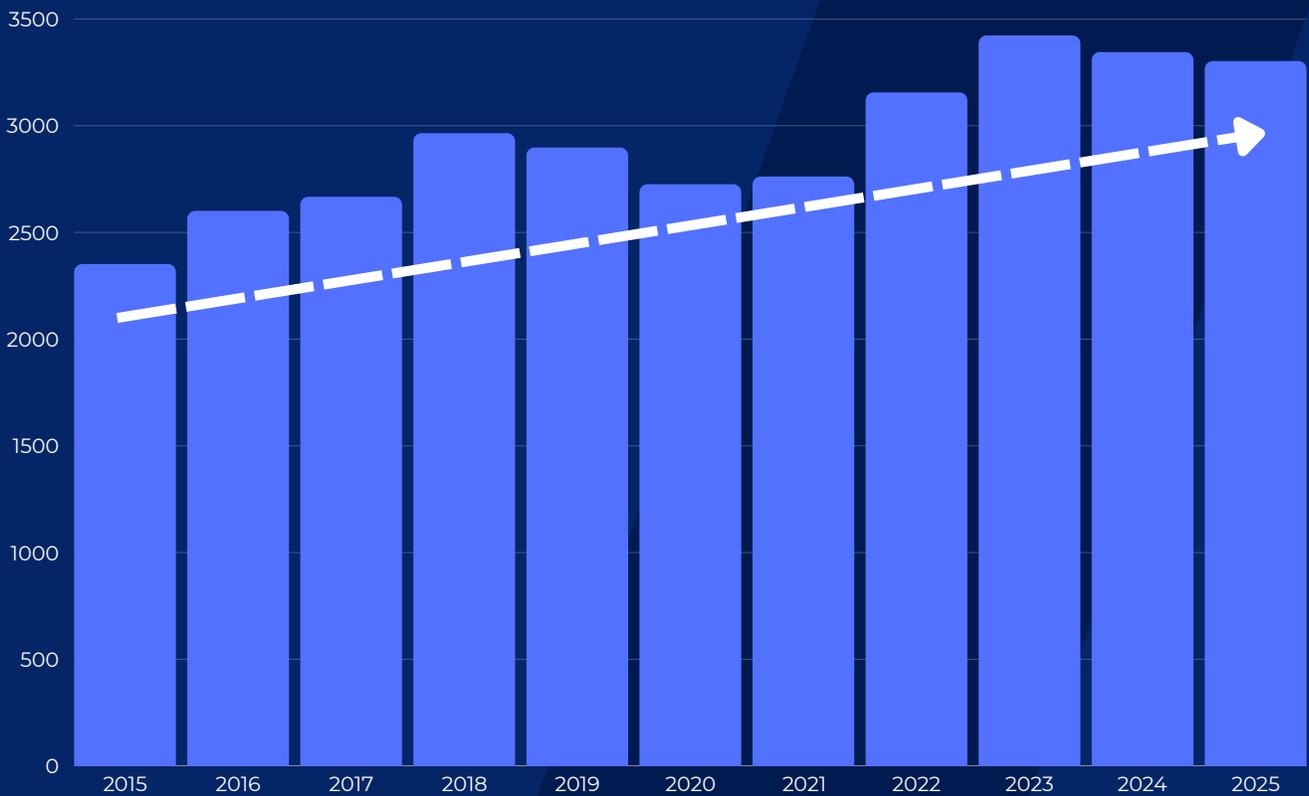


# 2025 Highlights

- Retirement of long time Fire Chief Joey Webb Sr. and subsequent promotions
- Department awarded \$50,000 Helene Recovery Grant - Placed new UTV in service
- Received \$280,000 FEMA Assistance to Firefighters Grant - Purchased portable radios which allow statewide communication
- Tuscola Impact U commissioned local artist, Grace Cathey, to construct Hurricane Helene memorial on Station 1 property
- Received \$2.9 million towards new Hazelwood station from Congressman Chuck Edwards
- Added the remaining two new fulltime firefighters bringing each shift up to 5 full-time employees
- Reclassed four engineers to lieutenant
- Lieutenant Trey Silver selected as Town of Waynesville Employee of the Year

# 2025 Calls for Service

## 3,303 Total Responses



**10 Year Increase = 31%**

# Calls for Service

## Calls By Hour



## Calls By Day

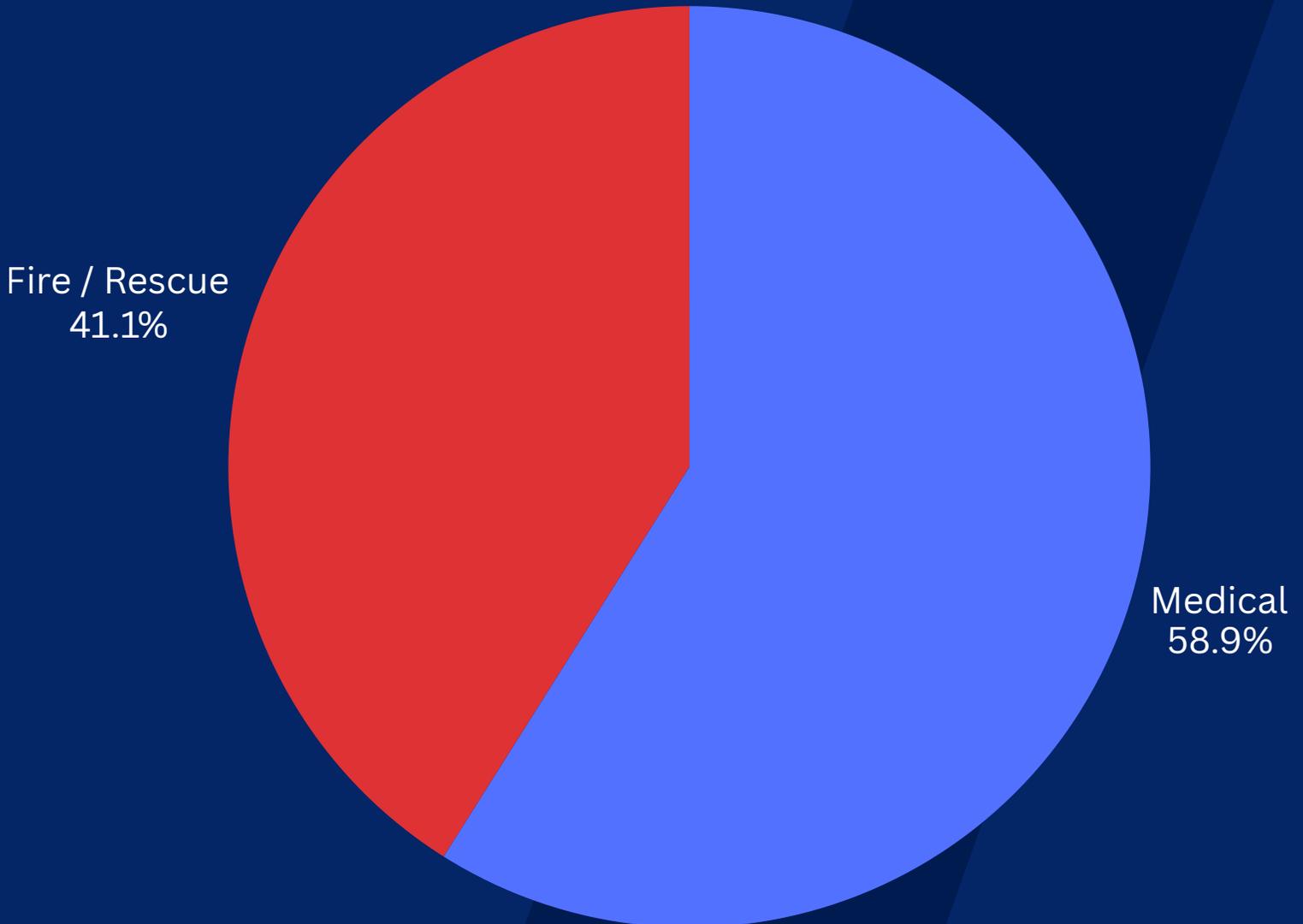


## Calls By Month



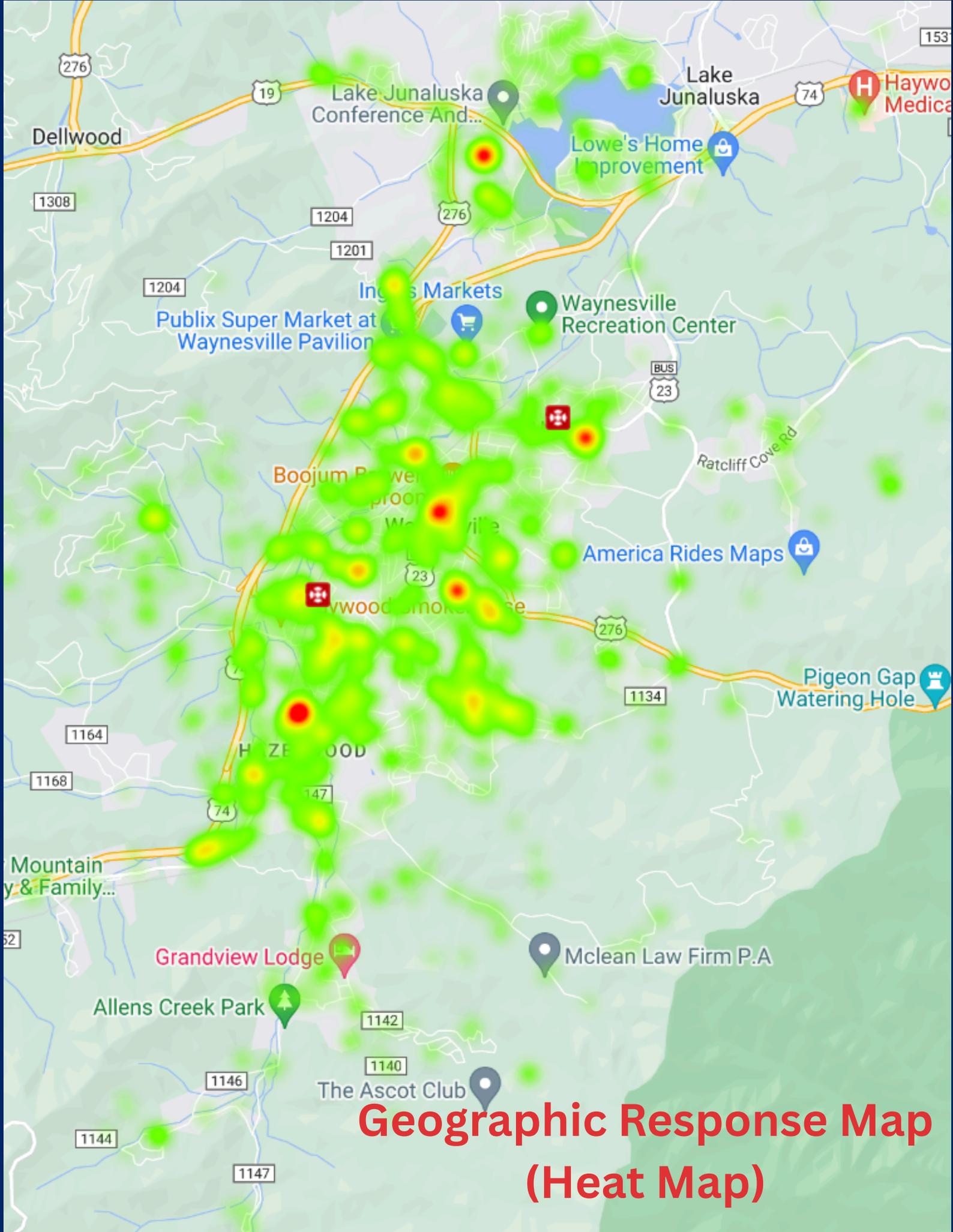
# Call Information

## Call Breakdown By Type



**33% Call Overlap**

(National standards suggest adding a station for each 10% of overlap)



# Geographic Response Map (Heat Map)

# Station Information

## Station 1, 1022 N Main Street

.....

**BUILT:** 2008

**UNITS:** Engine 15, Ladder 15, Tanker 15, Brush 15 , Tac 15

**CALLS:** 1,431



## Station 2, 280 Georgia Avenue

.....

**BUILT:** 1977

**UNITS:** Engine 15-2, Engine 15-3, Truck 15, Tac 15-2

**CALLS:** 1,872



# Department Organization

## Administration

**1 Fire Chief**

**1 Assistant Fire Chief**

**1 Fire Marshal**

## Shift Personnel

**(4 - 24 Hour Shifts (A, B, C, D))**

**1 Shift Captain**

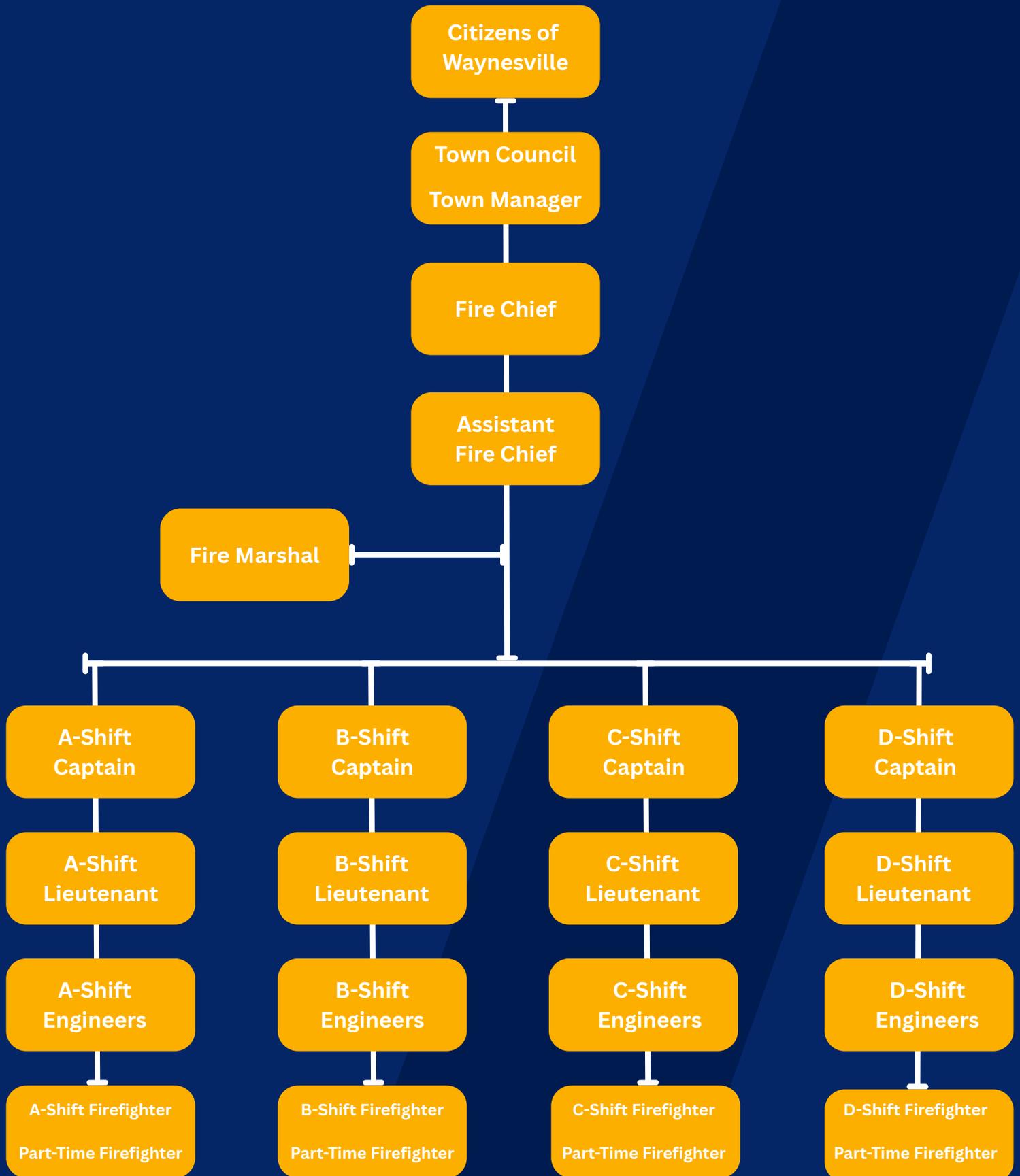
**1 Lieutenant**

**2 Engineers**

**1 Firefighter**

**1 Part-Time Firefighter**

# Department Organization



# Department Organization

**Chris Mehaffey**  
Fire Chief

**Cody Parton**  
Assistant Fire Chief

**Darrell Calhoun**  
Fire Marshal

**Doug Smith**  
Captain

**Josh Evans**  
Captain

**Mike Lentz**  
Captain

**Shane Messer**  
Captain

**Jason Webb**  
Lieutenant

**Vacant**  
Lieutenant

**Trey Silver**  
Lieutenant

**Luke Palmer**  
Lieutenant

**Mark Yarborough**  
Engineer

**Hank Baker**  
Engineer

**Gabe Burch**  
Engineer

**Ryan Gibson**  
Engineer

**Lane Kimsey**  
Engineer

**Claudio Fuentes**  
Engineer / Fire  
Inspector

**Wes Allison**  
Engineer / Fire  
Investigator

**Jonathan Brooks**  
Engineer

**Vacant**  
Firefighter

**Austin McClure**  
Engineer

**Colton Locklear**  
Firefighter

**Edgar Julian**  
Firefighter

**Part-Time Firefighter**

**Part-Time Firefighter**

**Part-Time Firefighter**

**Part-Time Firefighter**

# Members

THIN LINE  
DEPARTMENT PHOTOS

THIN LINE  
DEPARTMENT PHOTOS

WAYNESVILLE FIRE DEPT.



## WAYNESVILLE FIRE 2025

L. Smith L. Palmer J. Brooks S. Cooper B. Pendergrass L. Williamson C. Kimsey C. Greene J. Webb M. Yarborough

B. Messer J. Evans M. Lentz S. Messer D. Smith C. Mehaffey C. Parton D. Calhoun T. Crumpler B. Simmons Fire Pup  
*Captain Captain Captain Captain Chief Asst. Chief Fire Marshal FLSE Educator*

T. Webb R. Gibson C. Fuentes H. Baker T. Silver C. Locklear G. Burch W. Allison L. Delgado J. McCracken E. Julian A. McClure

Thin Line Department Photos

June 2025

# WAYNESVILLE FIRE DEPARTMENT



THIN LINE  
DEPARTMENT PHOTOS

THIN LINE  
DEPARTMENT PHOTOS

# 2025

# Fire Chief Joey Webb Sr. Retirement



After more than four decades of dedicated service to the fire profession, Fire Chief Joey Webb, Sr. retired from Waynesville Fire Department. His retirement concluded an exceptional career marked by leadership, commitment, and integrity. Chief Webb served 17 years as Waynesville Fire Chief, guiding the department through periods of growth, change, and challenge – including the economic downturn of 2008, the COVID 19 pandemic, and Hurricane Helene.

Chief Webb moved the department forward by leaps and bounds. Chief Webb updated the fire fleet, adding new engines, a tanker, medical response vehicles, UTV's, and even boats. Chief Webb increased the career roster from 2 members per shift up to 5 career members. Chief Webb was instrumental in securing property for a new station in the Hazelwood area. Chief Webb coordinated the transition from volunteer medical response to career response, a move that tripled call volume the first year alone.

Throughout his 40-plus years in the fire service, Chief Webb has earned respect all over the state through his service to the North Carolina Fallen Firefighters Foundation and the North Carolina Association of Fire Chiefs.

Chief Webb continues to serve, even in his retirement. He remains part-time with Waynesville Fire Department assisting the Fire Marshal with commercial fire inspections. He continues to serve on the North Carolina Association of Fire Chiefs board as the Past-President. He stepped up as Chairman of the Board of Directors for Clyde Fire Department, where he previously served as volunteer Fire Chief. Chief Webb leaves a legacy of service, innovation, and caring – for both his members and the community. His impact on Waynesville Fire Department, the Town of Waynesville, the community, and the state cannot be overstated. We wish him the best in his retirement and hope it is long and enjoyable!

# Promotions



**Chris Mehaffey**

From Assistant Chief to Fire Chief



**Cody Parton**

From D Shift Captain to Assistant Fire Chief



**Shane Messer**

From Engineer to D Shift Captain

# Promotions



**Jason Webb**

From Engineer to Lieutenant



**Trey Silver**

From Engineer to Lieutenant



**Luke Palmer**

From Engineer to Lieutenant

# Promotions



**Lane Kimsey**

From Firefighter to Engineer



**Austin McClure**

From Firefighter to Engineer

# New Full-time Firefighters



**Colton Locklear**  
Firefighter, C Shift



**Lucas Williamson**  
Firefighter, A Shift



**Tyler Webb**  
Firefighter, B Shift

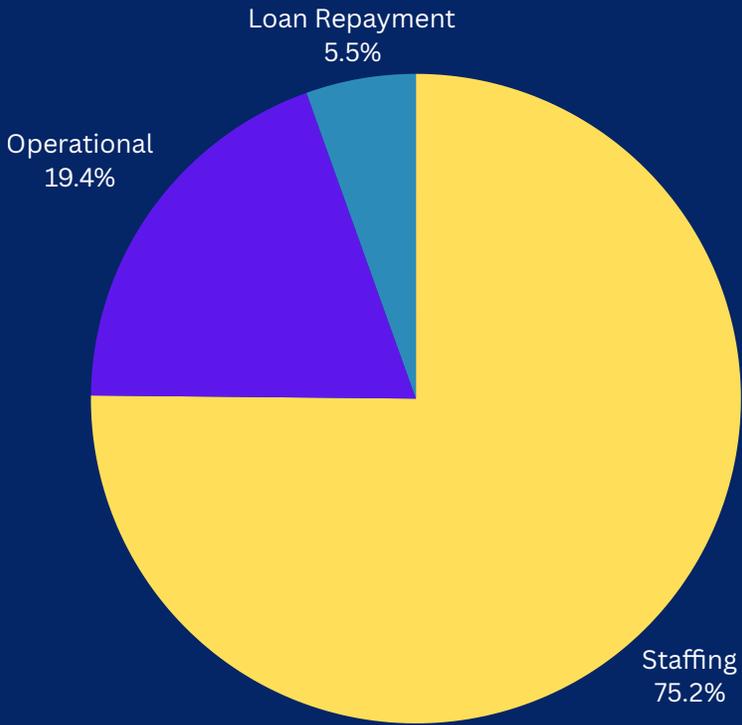
# Town of Waynesville Employee of the Year



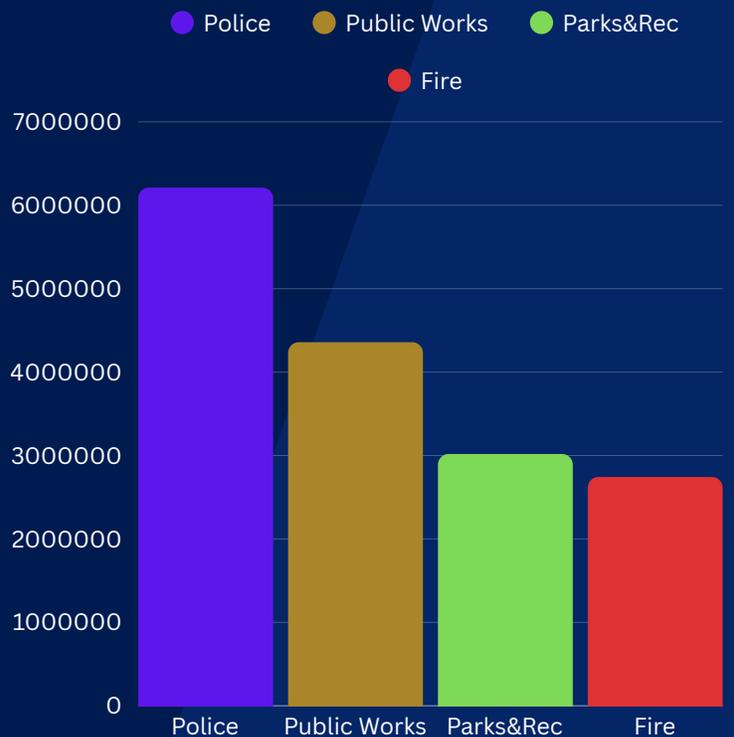
Lieutenant Trey Silver was the Co-Employee of the Year for The Town of Waynesville. Trey is a valuable member of the Department and is the C-Shift Lieutenant. Trey is very humble and quiet and avoids the spotlight. Somehow we were able to surprise Trey with this award. His family was there to celebrate. Trey is a third-generation public servant. His grandfather and father are both retired NC State Highway Patrol Troopers.



# Budget



**Total budget FY26**  
**\$2,742,633**



# Fire Prevention



# Fire Prevention Highlights

- 279 - Fire Inspections Including re-inspections and driveway
- 4 - Cardiac Arrest Saves
- 43 - Plan Reviews
- Technical Review Committees for Events
- 36 - Child Safety Seat (Car seat) Installs
- 1 - Fire Extinguisher Class (63 Adults)
- 16 - Fire & Life Safety Events
- 32 - School Lock Down Drills
- 10 - Smoke / CO2 Detector Installs
- 12 - Station Tours
- 1 - Stop The Bleed Training Event (64 Students)
- Fire Pup Costume Placed In Service



# New Equipment

## UTV (and upgrades to existing UTV)

We received a Hurricane Helene recovery / wildland preparation grant from the State Fire Marshal and were able to purchase a new UTV with patient bed and wildland fire pump bed for our existing UTV. These UTV's will allow us to access fires and patients in our areas of challenging terrain.



## Portable Radios

After being awarded a FEMA grant, we were able to purchase and put 29 Motorola APX Next all-band radios into service. These radios will allow us to communicate with most agencies around the state - an ability that was sorely needed during Hurricane Helene.







# Waynesville Fire Department



## Station 1

1022 N Main Street  
(828) 456-5363

## Station 2

280 Georgia Avenue  
(828) 456-8648



**TOWN OF WAYNESVILLE COUNCIL  
REQUEST FOR COUNCIL ACTION  
Meeting Date: January 27, 2026**

**SUBJECT:** Public hearing to consider a text amendment to remove the mandatory waiting period requirement for the resubmission of map and text amendments, Land Development Standards (LDS) Section 15.14.6.

**AGENDA INFORMATION:**

**Agenda Location:** Public Hearing  
**Item Number:**  
**Department:** Development Services  
**Contact/Presenter:** Olga Grooman

**BRIEF SUMMARY:**

On October 6, 2025, the NC GS House Bill 926 - Regulatory Reform Act of 2025- became a law. Section 11 of this bill has updated the NC General Statute 160D-601, prohibiting any ordinance from imposing a waiting period for a landowner, developer, or applicant to resubmit a denied or withdrawn application for a zoning map amendment, text amendment, or development application.

It means that if a Board or staff deny a zoning application, the petitioner cannot be required to wait to refile their application. Currently, LDS section 15.14.6 includes a 12-month waiting period for zoning map and text amendments, which could only be waived by the Council. The proposed text amendment removes this requirement to comply with the updated NC G.S. 160D-601.

**MOTIONS FOR CONSIDERATION:**

1. Motion to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.
2. Motion to adopt the Ordinance as presented (or as amended).

**FUNDING SOURCE/IMPACT:**

N/A

**ATTACHMENTS:**

- Staff Report
- Draft Ordinance
- Signed Planning Board Report
- Consistency Worksheet
- Public Notice

**MANAGER'S COMMENTS AND RECOMMENDATIONS:**

## **Town Council Staff Report**

**Subject:** Text amendment to remove the mandatory waiting period requirement for the resubmission of map and text amendments  
**Ordinance Section:** Land Development Standards (LDS) section 15.14.6  
**Applicant:** Staff initiated text amendment, Development Services Department  
**Meeting Date:** January 27, 2026  
**Presenter:** Olga Grooman, Assistant Development Services Director

### **Background:**

On October 6, 2025, the NC GS House Bill 926 - Regulatory Reform Act of 2025- became a law. Section 11 of this bill has updated the NC General Statute 160D-601, prohibiting any ordinance from imposing a waiting period for a landowner, developer, or applicant to resubmit a denied or withdrawn application for a zoning map amendment, text amendment, or development application.

As a result, if a zoning application is denied by a staff or a board, the applicant may not be required to wait to resubmit their application. Currently, LDS section 15.14.6 includes a 12-month waiting period for zoning map and text amendments, which could only be waived by the Council. The proposed text amendment removes this requirement to comply with the updated NC G.S. 160D-601.

### **Staff Recommended Text Changes:**

The proposed text amendment removes the mandatory 12-month waiting period and the requirement for a special Council vote for resubmittal of text and map amendments, currently found in the LDS 15.14.6. It will bring the LDS in compliance with the NC G.S. 160D-601.

### **Consistency with the 2035 Comprehensive Land Use Plan:**

Staff submits that the proposed text amendment to the LDS is consistent with Goal #1 of the 2035 Comprehensive Land Use Plan because the Town will continue to “promote smart growth in land use planning and zoning.”

The proposal is also reasonable and in the public interest as it will allow the Town to maintain adequate legal authority through the most up-to-date ordinances.

### **Public Notice:**

This hearing was duly advertised in the Mountaineer newspaper on 01/14/2026 and 01/20/2026. The notice was also submitted to local media contacts, posted on the Town’s website, and posted on the bulletin board on 01/14/2026.

### **Attachments:**

- Cover Sheet
- Draft Ordinance
- Signed Planning Board Report
- Consistency Worksheet
- Public Notice

**Recommended Motions:**

1. Motion to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.
2. Motion to adopt the Ordinance as presented (or as amended).

**ORDINANCE NO. O-3-26**

**AN ORDINANCE AMENDING THE TEXT OF THE  
TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS**

**WHEREAS**, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and

**WHEREAS**, HB 926 - Regulatory Reform Act of 2025 became a law on October 6, 2025; and

**WHEREAS**, Section 11 of S.L. 2025-94 (House Bill 926) bars a development regulation or unified development ordinance from including waiting periods prohibiting a landowner, developer, or applicant from refiling a denied or withdrawn application for a zoning map amendment, text amendment, development application, or request for development approval.; and

**WHEREAS**, the Town of Waynesville Planning Board has reviewed the proposed text amendment to the Land Development Standards (LDS) and recommends that the text be amended to comply with changes in state statutes, and that it is reasonable and in the public interest because it will allow the Town to maintain adequate legal authority through the most up-to-date ordinance.

**WHEREAS**, the Planning Board has reviewed and recommends the proposed text amendment for enactment by the Town Council; and

**WHEREAS**, the Town Council finds this Ordinance to be consistent with the Town's 2035 Comprehensive Plan and that it is reasonable and in the public interest to "make decisions about resources and land use in accordance with North Carolina General Statutes;" and

**WHEREAS**, after notice duly given, a public hearing was held on **December 15, 2025**, at the regularly scheduled meeting of the Waynesville Planning Board, and on **January 27, 2026**, at the regularly scheduled meeting of the Waynesville Town Council;

**NOW, THEREFORE, BE IT ORDAINED BY THE WAYNESVILLE TOWN COUNCIL, MEETING IN REGULAR SESSION ON JANUARY 27, 2026, AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:**

That the Land Development Standards be amended as follows (in red):

1. Remove LDS Section 15.14.6- Waiting Period for Subsequent Applications:

**5.14.6 ~~Waiting Period for Subsequent Applications.~~**

- ~~A.—When an application for an amendment has been approved or denied by the Town Council, no application shall be considered on the same issue within the next twelve (12) months after approval or denial.~~
- ~~B.—This waiting period may be waived by the Town Council (three-fourths vote required) if it determines that there have been substantial changes in conditions or circumstances which may relate to the request.~~

**ADOPTED** this 27<sup>th</sup> Day of January, 2026.

TOWN OF WAYNESVILLE

\_\_\_\_\_  
J. Gary Caldwell, Mayor

ATTEST:

\_\_\_\_\_  
Candace Poolton, Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Martha Bradley, Town Attorney



To: Waynesville Town Council  
Meeting Date: December 15, 2025  
From: Olga Grooman, Assistant Development Services Director  
Subject: Planning Board Report and Statement of Consistency  
Description: Text amendment to remove the mandatory waiting period requirement for the resubmission of map and text amendments  
Ordinance Sections: Land Development Standards (LDS) section 15.14.6

The Planning Board hereby adopts and recommends to the Town Council the following statement(s):

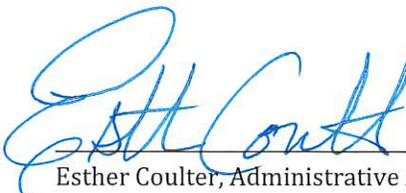
A motion was made by board member Tommy Rose and seconded by board member John Baus that the proposed text amendment is **consistent** with the 2035 Comprehensive Land Use Plan, and **it is reasonable and in the public interest** because it is necessary to make the Town's Land Development Standards align with what is permissible by the state statutes. The proposal will allow the Town to maintain adequate legal authority through the most up-to-date ordinances.

The motion carried unanimously, 5:0.

A second motion was made by board member Tommy Rose and seconded by board member John Baus to **recommend the text amendment to the Town Council as attached.**

The motion carried unanimously, 5:0.

  
\_\_\_\_\_  
Travis Collins, Planning Board Vice Chair      1-12-26      Date

  
\_\_\_\_\_  
Esther Coulter, Administrative Assistant      12-31-25      Date



To: Waynesville Town Council  
 From: Olga Grooman, Assistant Development Services Director  
 Date: January 27, 2026  
 Subject: Text Amendment Statement of Consistency  
 Description: Text amendment to remove the mandatory waiting period requirement for the resubmission of map and text amendments  
 Ordinance Section: Land Development Standards (LDS) Section 15.14.6.  
 Address: Town of Waynesville Planning Department (“Development Services Department”)

The Town Council hereby adopts the following statement(s):

The zoning text amendment **is approved and is consistent with the Town’s Comprehensive Land Use Plan** because: \_\_\_\_\_

\_\_\_\_\_

The zoning text amendment **is reasonable and in the public interest** because:

\_\_\_\_\_

\_\_\_\_\_

The zoning text amendment **is rejected because it is inconsistent with the Town’s Comprehensive Land Plan and is not reasonable and in public interest** because \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

In addition to approving this zoning amendment, this approval is **also deemed an amendment to the Town’s Comprehensive Land Use Plan**. The changes in conditions considered in amending the zoning ordinance to meet the development needs of the community and why this action is reasonable and in the public interest, are as follows: \_\_\_\_\_

\_\_\_\_\_



# TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492

[www.waynesvillenc.gov](http://www.waynesvillenc.gov)

FOR PUBLICATION IN THE MOUNTAINEER: January 14<sup>th</sup> and January 21<sup>st</sup> (Wednesday) editions

Date: January 7, 2026

Contact: Olga Grooman, (828) 356-1172

## **Notice of Public Hearing Waynesville Town Council**

Waynesville Town Council will hold a public hearing on Tuesday, January 27, 2026, at 6:00 pm in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC 28786, to consider a text amendment to the Land Development Standards section 15.14.6 to remove the mandatory waiting period requirement for the resubmission of map and text amendments.

For more information contact the Development Services Department at: (828) 356-1172, email: [ogrooman@waynesvillenc.gov](mailto:ogrooman@waynesvillenc.gov), mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.

**TOWN OF WAYNESVILLE TOWN COUNCIL  
REQUEST FOR COUNCIL ACTION  
Meeting Date: Jan. 27, 2026**

**SUBJECT:** Changes to the structure of the Downtown Waynesville Commission board

**AGENDA INFORMATION**

**Agenda Location:** New Business  
**Item Number:**  
**Department:** Administration  
**Contact:** Beth Gilmore, Downtown Waynesville Commission Executive Director  
**Presenter:** Beth Gilmore, Downtown Waynesville Commission Executive Director

**BRIEF SUMMARY**

Article 4, Section 1, of Downtown Waynesville Commission (DWC) Rules and Procedures state, "The Committee shall consist of thirteen (13) voting members. Membership shall be composed from the following membership categories:

- (4) Members representing merchants
- (4) Members representing owners/residents
- (3) At-Large members
- (1) Member of the Board of Aldermen
- (1) Member of the County Board of Commissioners or staff."

The DWC currently has three open seats, each of which is designated for a property owner/resident. Two of those seats have been unoccupied for more than two years. We have had a difficult time recruiting property owners/residents to fill those seats, in part because many property owners do not maintain a local residence. Meanwhile, a number of individuals have expressed an interest in serving on the DWC board or have applied to serve and were turned away because they do not qualify for the seats that are available. In the interest of being able to fill unoccupied seats and maintain full board membership, we are asking to amend the rules and procedures to make structure specifications a recommendation for best practice, rather than a requirement.

**MOTIONS FOR CONSIDERATION**

A motion to amend Section 1 of Downtown Waynesville Commission rules and procedures regarding Board Membership.

**FUNDING SOURCE/IMPACT**

**ATTACHMENTS**

**MANAGER'S COMMENTS AND RECCOMENDATIONS**

# Town of Waynesville

## Downtown Waynesville Commission

### Charter & Rules of Procedure

#### **Article 1. Name**

The name of this organization is the Downtown Waynesville Commission.

#### **Article 2. Purpose and Powers**

The general purpose of the Commission is to serve in an advisory role to the Town ~~Board~~ Council in matters pertaining to the Main Street Municipal Service District, subject to such limitations as may be imposed by state law or by ordinances of the Town. The Commission shall be embodied for the following purposes: Advise, deliberate and make recommendations to the Town ~~Board~~ Council to help facilitate the implementation of the Comprehensive Plan as it relates to downtown; Serve to support economic development efforts, and the marketing and promotion of downtown; Identify appropriate uses for downtown and identify developers/investors for downtown development; Recommend to Town ~~Board~~ Council an overall policy for the continued development and sustainability of downtown; Develop financial tools for downtown development; Promote and facilitate the improvement of downtown infrastructure, including water, public safety, parks, parking, transportation, utilities, sidewalks, sewer, and streetscape; Promote and facilitate a program to assist in business retention in the downtown; Promote and facilitate a marketing program to increase sales, visitors, and awareness of downtown; Provide Town ~~Board~~ Council with representative community participation in preparing and implementing plans and reports concerning the development of downtown; Promote, facilitate, and act as liaison to developments significantly affecting the downtown area. Promote and support downtown as a special event location.

#### **Article 3. Jurisdiction**

The Downtown Advisory Commission's jurisdiction shall apply to the Waynesville Main Street Municipal Service District . The Main Street Municipal Service District is formed by the boundaries shown in Exhibit "A". The ~~Board~~ may also discuss and be consulted on matters outside of the Main Street Municipal Services District, provided the subject is related to the core mission of supporting a healthy and vibrant downtown.

#### **Article 4. Membership**

**Section 1. Membership and Appointment.** All appointments shall be made by the Town Council. The Commission shall consist of thirteen (13) voting members. ~~Membership shall be composed from the following membership categories:~~

~~(4) Members representing merchants~~

~~(4) Members representing owners/residents~~

~~(3) At-Large members~~

~~(1) Member of the Board of Aldermen~~

~~(1) Member of the County Board of Commissioners or staff~~

The Commission shall include one (1) member of the Waynesville Town Council and one (1) member of the Haywood County Board of Commissioners or their designee.

In making the remaining appointments, the Town Council should strive, as a matter of best practice, to achieve a balanced and representative membership that reflects a mix of downtown merchants, property owners or residents, and at-large community members. These representation categories are intended as goals rather than strict requirements.

To ensure the Commission can maintain full membership and continue its work without prolonged vacancies, appointments may be made without regard to category when necessary.

Merchant members are defined as persons operating businesses whether being the owner or tenant.

Property owners or residents are defined as persons who own property or live in the district.

At-large members are defined as persons owning property or residing within the Town of Waynesville or Haywood County, or business owners whose business is located within the Town of Waynesville or Haywood County.

Staff Support. Town staff shall be assigned to the Downtown ~~Advisory Commission~~ Waynesville Commission, acting as the Secretary and liaison between the Commission, Town Departments, and the Town ~~Board~~ Council and shall have the charge of correspondence, minutes, notifying members of meetings, and other information.

## **Section 2. Member Terms and Term Limits.**

~~The appointment to the initial Commission, Town Board may implement staggered terms for members, meaning that 4 members of the Commission membership shall be appointed for an initial term to run from November 2021 to June 30, 2022; 4 members of the Commission membership shall be appointed for an initial term to run from November 2021 to June 30, 2023, and 4 members of the Commission membership shall be appointed for an initial term to run from November 2021 to June 30, 2024. The initial staggered terms shall be chosen by "lot" from initial appointees. The Commission Chair will be chosen annually by the Town Council. Thereafter Advisory Commission appointments shall be for 3-year terms unless filling an unexpired term. Members who initially served less than a 3-year term shall be eligible for two additional 3-year terms. No member may serve more than two terms without taking a hiatus of one year before being reappointed.~~

Commission members shall be appointed for three-year terms unless filling an unexpired term. Members appointed to fill an unexpired term shall be eligible to serve two additional three-year terms. No member may serve more than two consecutive full terms without a hiatus of one year before being eligible for reappointment.

The Chair of the Commission shall be appointed annually by the Town Council.

**Section 3. Attendance at Meetings.** Any member who misses more than three consecutive regular meetings or more than one-half the regular meetings actually held in a calendar year shall cease to be a Commission member.

**Section 4. Vacancies and Reasons for Dismissal.** All members serve at the pleasure of the Town ~~Board~~ Council. Members may be dismissed for any reason with or without cause. Including but not limited to failure to attend meetings. Vacancies shall be filled at the earliest convenience of the Town ~~Board~~ Council. Should the chair vacate the Commission, the Vice Chair shall serve as Interim Chair. The ~~Board of Aldermen~~ Town Council shall appoint a replacement as soon as practicable.

**Section 5. Conflicts of Interest.** The Commission shall adhere to the NC Code of Ethics for Local Government. No member of the Commission or the business they own or are employed by shall contract with or provide any service for the Downtown ~~Advisory Commission~~ Waynesville Commission that involves compensation. ~~Board~~ Commission members are free to donate time and material, however.

## **Article 5. Rules and Parliamentary Procedure**

**Section 1. Open-Meetings Law.** All meetings of the Commission and its subcommittees shall be open to the public, and any person may attend their meetings. Except as permitted below, all meetings of the Commission shall be open to the public and any person may attend its meetings. For purposes of these rules, a meeting of the Commission occurs whenever a majority of the Commission members gather, either in person or simultaneously by electronic means, to conduct hearings, deliberate, vote, or otherwise transact public business within the Commissions real or apparent jurisdiction. The term “majority” as used here and elsewhere in these rules means, unless otherwise specified, a simple majority, that is, more than half. No meeting shall occur except as part of a duly called and advertised meeting. For the avoidance of doubt, informal gatherings of a majority of the members where business of the Commission is discussed is strictly prohibited.

**Section 2. Closed Session.** The Commission may enter a closed session from which the public is excluded on any of the grounds listed in G.S. 143-318.11(a).

1. Motion to Enter Closed Session. The Commission may hold a closed session only upon a motion duly made and adopted in open session. The motion to enter closed session shall cite one or more of the permissible bases listed in G.S. 143-318.11(a) for closed sessions. For a closed session held under G.S. 143-318.11(a)(1) (prevent disclosure of privileged or confidential information or information not considered public record), the motion shall name or cite the law that renders the information confidential or privileged. For a closed session called pursuant to G.S. 143-318.11(a)(3) (attorney consultation and preservation of attorney-client privilege), the motion shall name the parties to any pending lawsuit that the ~~Board's~~ Council's attorney plans to discuss in the closed session.
2. Closed-Session Participants. Aside from the Commission members themselves, only those individuals invited by the Commission may participate in a closed session. The Commission will invite only those individuals whose presence is reasonably necessary to aid the Commission in its closed-session deliberations.
3. Motion to Return to Open Session. Upon completing its closed-session business, the Commission shall return to open session.
4. As per State Statute minutes of the Closed Sessions shall be drafted in such detail that a reasonable person would understand the discussion.

**Section 3. Regularly Scheduled Meetings.** The Commission shall hold regular monthly meetings on the 3<sup>rd</sup> Tuesday of every month. The Commission shall annually adopt a regular meeting schedule showing the dates, times, and places of its regular meetings for the year.

1. Notice of Regular Meeting Schedule. The Commission shall ensure that a copy of its current regular meeting schedule, complete with the date, time, and place of each regular meeting, is filed with the Town Clerk and posted on the Town's website.
2. Change to Regular Meeting Schedule. The Commission may revise its regular meeting schedule to change the date, time or place of a particular regular meeting or all regular meetings within a specified period. The Commission shall ensure that the revised regular meeting schedule is filed with the Town Clerk at least seven (7) consecutive calendar days before the first meeting held pursuant to the revised schedule. The Commission shall also have the revised schedule posted on the Town's website.

**Section 4. Special Meetings.** The chair or the majority of the members of the Commission may, at any time, call a special meeting of the Commission by signing a notice stating the date, time and place of the special meeting and the subjects to be considered. Alternatively, a special meeting may be called by vote of the Commission in open session during a regular meeting or another duly called special meeting if on the special meeting agenda.

1. Notice to the public. At least 48 hours before a special meeting, the Commission shall post written notice stating the date, time, place, and purpose(s) of the meeting. Such notice shall be,
  - i Posted on the Town's website, emailed to members of the Downtown Service Districts and the Town's "Sunshine List".
  - ii Emailed or delivered to each newspaper, wire service, radio station and television station who have filed a written request for notice with the Town.
2. Notice to Commission Members. For all meetings called by the chair, or a majority of the members, notice of the meeting date, time, place, and purpose(s) shall be emailed, or delivered to all members of the Commission at least 48 hours before the meeting. If the special meeting was called at another duly held meeting of the Commission, and one or more members were absent, the chair shall ensure that notice of the meeting's date, time, place, and purpose(s) is emailed, or delivered to any absent member(s) a minimum of forty-eight (48) hours in advance of the special meeting.
3. Business Conducted at a Special Meeting. Only the business that is specified in the notice of the meeting may be transacted during a special meeting.

**Section 5. Organizational Meeting.** On the date and at the time of the regular meeting in July, the Town **Board** Council shall appoint a chair. The new Commission shall choose a vice chair and adopt an annual schedule of regular meetings for the upcoming calendar year.

Newly appointed and reappointed members must have taken their oath prior to the start of the organizational meeting.

**Section 6. Electronic Commission Meetings and Member Participation.** No member who is not physically present may participate in a meeting of the Commission by electronic means except in accordance with this rule.

1. Electronic Meetings Generally. Provided a quorum is present, in person, at a meeting, Commission members may participate in a meeting electronically. Any member wishing to participate electronically in a meeting shall be required to give the Chair and the Secretary at least Twenty -four (24) Hours before the start of the meeting. When one or more members are participating remotely, the following rules shall apply:
  - (a) *Member Identification.* Each member who attends by electronic means shall identify himself or herself in each of the following situations:
    - i when roll is taken, or the meeting begins.
    - ii before taking part in deliberations, including making any motions, proposing any amendments, or raising any points of order; and
    - iii before voting.
  - (b) *Method of Electronic Participation.* Any member who attends electronically shall use a means of communication that enables the member
    - i to hear what is said by other Commission members and any person who addresses the Commission and
    - ii to be heard by other Commission members.
  - (c) *Voting.* The Commission shall conduct all votes by calling for ayes and noes. It may not vote by secret or written ballots. The votes of any member who attends by electronic means shall be counted as if the member were physically present, but only while the Commission maintains electronic communication with that member.
  - (d) *Minutes.* The minutes shall which members took part electronically, and when such members joined or left the electronic meeting.
2. Electronic Meetings During a State of Emergency Declared by the Governor or General Assembly. During any state of emergency declared by the Governor or General Assembly pursuant to G.S. 166A-19.20, a meeting of the Commission shall comply with the requirements of this paragraph if the Commission falls within the emergency area and at least one Commission member attends the meeting by conference call, conference video, or other electronic means.
  - (a) *Notice.* The public notice for any regular, special, emergency, or recessed meeting that is subject to this paragraph shall specify how the public can access the electronic meeting in real time.
  - (b) *Member Identification.* Each member who attends by electronic means shall identify himself or herself in each of the following situations:
    - i when roll is taken, or the meeting begins.

- ii before taking part in deliberations, including making any motions, proposing any amendments, or raising any points of order; and
  - iii before voting.
- (c) *Meeting Materials.* All documents considered during the meeting shall be furnished to each Commission member.
- (d) *Method of Electronic Participation.* Any member who attends electronically shall use a means of communication that enables the member
  - i to hear what is said by other Commission members and any person who addresses the Commission and
  - ii to be heard by other Commission members.
- (e) *Quorum.* A member who attends by electronic means counts as present for quorum purposes, but only while the Commission maintains electronic communication with that member.
- (f) *Voting.* The Commission shall conduct all votes by roll call. It may not vote by secret or written ballots. The votes of any member who attends by electronic means shall be counted as if the member were physically present, but only while the Commission maintains electronic communication with that member.
- (g) *Acting by Reference.* The Commission shall not deliberate, vote, or otherwise act on any matter by reference to the agenda or any other document unless copies of the agenda or document are available for public inspection at the meeting and so worded that persons in attendance can understand what is being deliberated or acted upon.
- (h) *Minutes.* The minutes shall indicate that the meeting was conducted by electronic means, which members took part electronically, and when such members joined or left the electronic meeting.
- (i) *Live Streaming.* The meeting may be streamed live online so that live audio (and video, if any) are available to the public. If the Commission meets by conference call, the public shall have an opportunity to dial in or stream the audio live and listen to the electronic meeting.
- (j) *Public Hearings.* Although it may conduct any public hearing mandated or permitted by law, the Commission shall allow the public to submit written comments on the hearing's subject matter between the publication of any required notice and twenty-four hours after the hearing.

**Section 7. Cancellation of Meetings.** Whenever there is no business for the Commission, the chair may cancel a meeting by giving reasonable notice to all members before the time set for the meeting. However, in the case of a special meeting called by a majority of the Commission, the chair may cancel the meeting only upon the concurrence of a majority of the Commission. The majority concurring in the cancellation need not be the same majority that called the special meeting.

## **Section 8. Continued Meetings**

1. Calling continued Meetings. When conducting a properly called regular, special, or emergency meeting, the Commission may continue the meeting to another date, time, or place by a procedural motion made and adopted in open session, as provided in Article 10, Section 5 (Motion 3). The motion shall state the time (including the date if the meeting will resume on a different day) and place at which the meeting will resume.
2. Notice of Continued Meetings. If the Commission's website is maintained by one or more appointed employees, notice of the recessed meeting's date, time, and place shall appear on the website prior to the meeting. No further notice of a properly called continued meeting is required.

## **Article 6. Agenda**

**Section 1. Proposed Agenda.** The Secretary shall prepare a proposed agenda for each meeting. A request to have an item of business placed on the agenda must be received at least three (3) working days before the meeting. Any Commission member may, by a timely request, have an item placed on the proposed agenda. A copy of all proposed policies shall be attached to the proposed agenda. Each Commission member shall receive a copy of the proposed agenda and any attachments and they shall be available for public inspection and/or distribution when they are distributed to the Commission members.

**Section 2. Adoption of the Agenda.** As its first order of business at each meeting, the Commission shall, as specified in Article 8, discuss, and revise the proposed agenda and adopt an agenda for the meeting. The Commission may by majority vote add items to or subtract items from the proposed agenda, except that the Commission may not add items to the agenda of a special meeting unless (a) all members are present and (b) the Commission determines in good faith at the meeting that it is essential to discuss or act on the item immediately. If items are proposed to be added to the agenda, the Commission may, by majority vote, require that written copies of particular documents connected with the items be made available at the meeting to all Commission members.

The Commission may designate certain agenda items "for discussion and possible action." Such designation means that the Commission intends to discuss the general subject area of that agenda item before making any motion concerning that item.

**Section 3. Open Meetings Requirements.** The Commission shall not deliberate, vote, or otherwise act on any matter by reference to a letter, number or other designation, or other secret device or method, with the intention of making it impossible for persons attending a meeting of the Commission to understand what is being deliberated, voted, or acted on. However, the Commission may deliberate, vote, or otherwise act by reference to an agenda, if copies of the agenda, sufficiently worded to enable the public to understand what is being deliberated, voted, or acted on, are available for public inspection at the meeting.

## **Article 7. Agenda Items from Members of the Public & Public Input**

**Section 1. Agenda Items from Members of the Public.** If a member of the public wishes to request that the Commission include an item on its regular-meeting agenda, the individual shall submit the request in writing to the Commission's secretary at least five (5) working days before the meeting date. The Commission shall decide whether or not to add any agenda items submitted by the public at the adoption of the agenda. The Commission is not obligated to place an item on the agenda merely because such a request has been received.

**Section 2. Public Input.** Public input at all regular Commission meetings shall have a three-minute limit per speaker. The Chair reserves the right to alert time limits for public comment periods.

**Section 3. Broadcasting and Recording Meetings.** Any person may photograph, film, tape-record, or otherwise reproduce any part of a Commission meeting that must take place in open session. Except as provided in paragraph (c) of this rule, any radio or television station may broadcast any such part of a Commission meeting.

1. Advance Notice. Any radio or television station that plans to broadcast any portion of a Commission meeting shall so notify the secretary no later than three (3) hours before the meeting. The failure to provide notice is not, by itself, grounds for preventing the broadcast of a Commission meeting.
2. Equipment Placement. The Commission chair or an appropriate staff member may regulate the placement and use of camera or recording equipment in order to prevent undue interference with a Commission meeting, so long as he or she allows the equipment to be placed where it can carry out its intended function. If the Commission chair or staff member determines in good faith that the equipment and personnel necessary to broadcast, photograph, or record the meeting cannot be accommodated without undue interference to the meeting, and an adequate alternative meeting room is not readily available, the chair or staff member may require the pooling of the equipment and the personnel operating it.

## **Article 8. Order of Business**

Items shall be placed on the agenda according to the order of business. The order of business for each regular meeting shall be as follows:

Discussion and revision of the proposed agenda; adoption of an agenda  
Approval of the minutes  
Public comment  
Public hearings  
Administrative reports  
Team reports  
Unfinished business  
New business  
Informal discussion

By general consent of the Commission items may be considered out of order.

## **Article 9. Officers**

**Section 1. Presiding Officer.** The presiding officer of each meeting of the Commission shall be the chair of the Commission. In situations where the chair is unavailable or unable to participate in the meeting or any particular matter before the Commission, the vice chair shall preside. In the event that neither the chair nor the vice chair is available, the members of the Commission, by affirmative vote of the majority, may appoint an acting chair who shall have all powers of the chair while acting as presiding officer.

**Section 2. Selection of The Chair and Vice Chair.** The chair shall be selected by majority vote of the Town ~~Board~~ Council unless the Town ~~Board~~ Council chooses to delegate that responsibility to the Advisory Commission.

**Section 3. Powers and Duties of The Chair and Vice Chair.** The chair shall preside at all meetings of the Commission but shall also have the right to engage in discussion and vote on any matter before the Commission unless otherwise excused. The chair shall have the power to call a special meeting, rule on procedural matters during a meeting, call a brief recess of a meeting at any time, and adjourn a meeting in an emergency. At any other time, adjournment shall be by motion, duly approved. The vice chair shall have all powers and perform all the duties of the chair in his or her absence.

### **Section 4. The Chair**

1. Presiding Officer. The chair shall preside at meetings of the Commission.
2. Voting by the Chair. The chair has the same duty to vote as other members, though in no event may the chair break a tie on a motion on which he or she has already voted.
3. Recognition of Members. A member must be recognized by the chair (or other presiding officer) in order to address the Commission, but recognition is not necessary for an appeal pursuant to Article 10, Section 5 (Motion 1).
4. Powers as Presiding Officer. As presiding officer, the chair is to enforce these rules and maintain order and decorum during Commission meetings. To that end, the chair may
  - (a) rule on points of parliamentary procedure, to include ruling out of order any motion clearly offered for obstructive or dilatory purposes.
  - (b) determine whether a member or other speaker has gone beyond reasonable standards of courtesy in his or her remarks and entertain and rule on objections from other members on this ground.
  - (c) entertain and answer questions of parliamentary procedure.
  - (d) call a brief recess at any time; and
  - (e) adjourn in an emergency.
  - (f) Appeals of Procedural Rulings. A member may appeal a decision made or an answer given by the chair under subparagraph (d)(1), (2), or (3) of this rule in accordance with Article 10, Section 5 (Motion 1).

**Section 5. Duties of The Secretary.** The Town Manager shall assign a staff person to the Commission who shall serve as the secretary of the Commission and shall perform the following:

1. The secretary shall ensure that all meetings of the Commission are properly noticed.
2. The secretary shall maintain the sunshine list that is a list of those persons or entities that have filed a written request indicating a desire to receive notice of all special meetings of the Commission.
3. The secretary shall take and record the actions of the Commission and draft minutes of the meetings accordingly. Minutes shall be sent to Commission members prior to their next regularly scheduled meeting. The secretary shall also forward a copy of the minutes as they are approved to the Clerk to the Town ~~Board~~ Council and post on the Town's website.
4. The secretary shall be responsible for maintaining an accurate list of members of the Commission, submitting to the Town Clerk a quarterly attendance report for its members and notifying the Town Clerk of any resignations of any of its members, or any other change in membership of the Commission.

## **Article 10. Action by the Commission**

**Section 1. Quorum.** A majority of the members shall constitute a quorum for any meeting. No action of the Commission may be taken at any meeting where less than the required quorum is present, except to adjourn the meeting. Once a quorum has been established, it will not be defeated if members leave.

**Section 2. Motions and Voting.** Action of the Commission may be taken upon a motion made by any member, including the chair, without the need for a second. A motion shall be adopted if approved by the affirmative vote of a majority of the members present and not excused after full discussion of the motion by the members.

**Section 3. Withdrawal of Motion.** The member who introduces a motion may withdraw the motion unless the motion has been amended or put to a vote.

**Section 4. Substantive (or Main) Motions.** A substitute motion is not in order when any other motion is pending. Once the Commission disposes of a substitute motion, it may not take up a motion that presents essentially the same issue at the same meeting unless it first adopts a motion to reconsider pursuant to Article 10, Section 5 (Motion 13).

## **Section 5. Procedural Motions**

- (a) **Certain Motions Allowed.** The Commission may consider only those procedural motions listed in this rule. Unless otherwise noted, each procedural motion may be debated and amended and requires a majority of votes cast, a quorum being present, for adoption.
- (b) **Priority of Motions.** The procedural motions set out in this paragraph are listed in order of priority. A procedural motion is not in order so long as another procedural motion of higher priority is pending, except that
  - any procedural motion other than an appeal under Motion 1 is subject to amendment as provided in Motion 11 and

- a motion to call the question (end debate) may be made with regard to any procedural motion in accordance with Motion 8.

When several procedural motions are pending, voting shall begin with the procedural motion highest in priority, except that a motion to amend or end debate on the highest-priority motion shall be voted on first.

**Motion 1. To Appeal a Ruling of the Presiding Officer.** Any member may appeal the presiding officer's ruling on whether a motion is in order or on whether a speaker has violated reasonable standards of courtesy. The presiding officer's response to a question of parliamentary procedure may also be appealed by any member. An appeal is in order immediately after the disputed ruling or parliamentary response and at no other time. The member who moves to appeal need not be recognized by the presiding officer, and if timely made, the motion may not be ruled out of order.

**Motion 2. To Adjourn.** This motion may be used to close a meeting. It is not in order if the Commission is in closed session.

**Motion 3. To Recess to a Time and Place Certain.** This motion may be used to call a continued meeting as permitted under Rule 12. The motion must state the time (including the date if the meeting will reconvene on a different day) and place at which the meeting will resume. The motion is not in order if the Commission is in closed session.

**Motion 4. To Take a Brief Recess.** Any member may move to take a brief recess. The motion would be adopted by a majority of the Commission.

**Motion 5. To Follow the Agenda.** This motion must be made at the time an item of business that deviates from the agenda is considered; otherwise, the motion is out of order as to that item.

**Motion 6. To Suspend the Rules.** To be adopted, a motion to suspend the rules must receive affirmative votes equal to two-thirds of the Commission's actual membership, excluding any vacant seats. The Commission may not suspend provisions in these rules that restate state law requirements.

**Motion 7. To Defer Consideration.** The Commission may defer its consideration of a substantive motion, and any proposed amendments thereto, to an unspecified time. A motion that has been deferred expires unless the Commission votes to revive it pursuant to Motion 12 within ninety (90) days of deferral. A new motion having the same effect as a deferred motion may not be introduced until the latter has expired.

**Motion 8. To End Debate (Call the Previous Question).** If adopted, this motion terminates debate on a pending motion, thereby bringing it to an immediate vote. This motion is not in order until every member has had an opportunity to speak once on the pending motion.

**Motion 9. To Postpone to a Certain Time.** This motion may be employed to delay the Commission's consideration of a substitute motion, and any proposed amendments thereto, until a designated day, meeting, or hour. During the period of postponement, the Commission may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6.

**Motion 10. To Refer a Motion to a Board.** The Commission may vote to refer a substitute motion to a Commission for study and recommendations. While the substitute motion is pending before the

Commission, the Commission may not take up a new motion raising essentially the same issue without first suspending its rules pursuant to Motion 6. If the Commission fails to report on the motion within sixty (60) days of the referral date, the Commission shall take up the motion if asked to do so by the member who introduced it.

#### **Motion 11. To Amend**

- (a) Germaneness. A motion to amend must concern the same subject matter as the motion it seeks to alter.
- (b) Limit on Number of Motions to Amend. When a motion to amend is under consideration, a motion to amend the amendment may be made; however, no more than one motion to amend and one motion to amend the amendment may be pending at the same time.

**Motion 12. To Revive Consideration.** The Commission may vote to revive consideration of any substantive motion that has been deferred pursuant to Motion 7, provided it does so within ninety (90) days of its vote to defer consideration.

**Motion 13. To Reconsider.** The Commission may vote to reconsider its action on a matter, provided the motion to reconsider is made (1) at the same meeting during which the action to be reconsidered took place and (2) by a member who voted with the prevailing side. For purposes of this motion, “the same meeting” includes any continuation of a meeting through a motion to recess to a certain time and place (Motion 3). The motion is not in order if it interrupts the Commission’s deliberation on a pending matter.

**Motion 14. To Rescind.** The Commission may vote to rescind an action taken at a prior meeting, provided rescission is not forbidden by law.

**Motion 15. To Prevent Reintroduction for Six (6) Months.** This motion may be used to prevent the reintroduction of a failed substantive motion for a time, but it is in order only when made immediately following the substantive motion’s defeat. To be adopted, this motion must receive affirmative votes equal to at least two-thirds of the Commission’s total membership, excluding vacant seats. If this motion is adopted, the ban on reintroduction remains in effect for six (6) months or until the Commission’s next organizational meeting, whichever occurs first.

#### **Rule 26. Debate**

The presiding officer shall state the motion and then open the floor to debate, presiding over the debate according to the principles listed below.

- The maker of the motion is entitled to speak first.
- A member who has not spoken on the issue shall be recognized before a member who has already spoken.
- To the extent practicable, debate shall alternate between proponents and opponents of the measure.

#### **Rule 27. Adoption by Majority Vote**

A motion is adopted if supported by a simple majority of the votes cast, a quorum being present, except when a larger majority is required by these rules or state law.

### **Rule 28. Changing a Vote**

A member may change the member's vote on a motion at any time before the presiding officer announces whether the motion has passed or failed. Once the presiding officer announces the result, a member may not change a vote without the unanimous consent of the remaining members present. A member's request for unanimous consent to change a vote is not in order unless made immediately following the presiding officer's announcement of the result.

### **Article 11. Reports**

Section 1. Annual Report. The Commission shall make a report to the Town ~~Board~~ Council at least annually. This report must be submitted no later than January 31<sup>st</sup> of each year.

**Section 2. Public Records Law.** The Commission shall abide by North Carolina Public Records Law Chapter 132.

### **Article 12. Duty to Vote**

Every member must vote unless excused by the remaining members of the Commission. A member who wishes to be excused from voting shall so inform the chair, who shall take a vote of the remaining members. No member shall be excused from voting except in cases involving conflicts of interest, as defined by the Commission, the Code of Ethics for Local Officials or by law. In all other cases, a failure to vote by a member who is physically present, or who has withdrawn without being excused by a majority vote of the remaining members present, shall be recorded as a vote with the prevailing side.

### **Article 13. Public Hearings**

Section 1. Calling Public Hearings. The Commission may hold public hearings to solicit the public's input on specific issues. The Commission may schedule its public hearings or delegate that responsibility to staff members, as appropriate.

**Section 2. Public Hearing Locations.** The Commission may hold public hearings anywhere within the area served by the Commission.

**Section 3. Notice of Public Hearings.** Any public hearing attended by a majority of members shall be considered part of a regular or special meeting of the Commission. Consequently, the relevant notice and related requirements of the open meetings law apply to such hearings. If a hearing's subject matter triggers additional notice requirements under state law or local rules, the Commission shall see that they are also satisfied.

**Section 4. Rules for Public Hearings.** The Commission may adopt reasonable rules for public hearings that, among other things,

- fix the maximum time allotted to each speaker.
- provide for the designation of spokespersons for groups supporting or opposing the same positions.

- provide for the selection of delegates from groups supporting or opposing the same positions when the number of persons wishing to attend the hearing exceeds the capacity of the meeting room (so long as arrangements are made, in the case of a hearing subject to the open meetings law, for those excluded from the meeting room to listen to the hearing); and
- provide for the maintenance of order and decorum in the conduct of the hearing.

**Section 5. Continuing Public Hearings.** The Commission may continue any public hearing without further advertisement, provided the time (including the date, if the hearing will resume on a different day) and place of the continued hearing are announced in open session. Except for hearings conducted pursuant to Section 7 of this Article, if a quorum of the Commission is not present for a properly scheduled public hearing, the hearing shall be continued until the Commission's next regular meeting without further advertisement.

**Section 6. Conduct of Public Hearings.** At the time appointed for the hearing, the chair shall call the hearing to order and proceed to allow public input in accordance with any rules adopted by the Commission for the hearing. Unless the Commission votes to extend the hearing, when the time allotted for the hearing expires, or when no one wishes to speak who has not already done so, the chair shall declare the hearing closed, and the Commission shall resume the regular order of business.

**Section 7. Public Hearings by Less Than a Majority of Commission Members.** Unless inconsistent with state law or local rules, the Commission may appoint a member or members to hold a public hearing on its behalf. The notice provisions in Section 3 of this Article apply when the Commission appoints more than one member to conduct such a hearing.

**Section 8. Public Comment.** The Commission may hold a public comment period at any regular meeting or special meeting called, at least in part, for that purpose. During the public comment period, members of the public may speak on any matters within the Commission's real or apparent jurisdiction. The provisions in Section 4 and 6 of this Article apply to the Commission's public comment periods.

#### **Article 14. Meeting Minutes Required for All Meetings**

**Section 1. Meeting Minutes.** Minutes Required for All Meetings. The Commission shall keep full and accurate minutes of its meetings, including any closed sessions. To be "full and accurate," the minutes must record all actions taken by the Commission, as well as the Commission's compliance with any applicable procedural requirements. The minutes should set out the precise wording of each motion and make it possible to determine the number of votes cast for and against each motion. The minutes need not record Commission member discussions, though the Commission in its discretion may decide to incorporate such details into the minutes.

1. Record of "Ayes" and "Noes." At the request of any member, the minutes shall indicate how each member voted by name on a particular matter.
2. General Accounts of Closed Sessions. In addition to minutes, the Commission shall keep a general account of each closed session. The general account shall be sufficiently detailed to provide a person not in attendance with a reasonable understanding of what transpired. The Commission may combine the minutes and general account of a closed session into one

document, so long as the document contains both a complete record of actions taken, and the level of detail required for a general account.

3. Sealing Closed-Session Records. Minutes and general accounts of closed sessions shall be sealed until unsealed by order of the Commission or in accordance with instructions adopted by competent authority. The sealed minutes and general account of any closed session may be withheld from public inspection, so long as public inspection would frustrate the purpose(s) of the closed session.

### **Article 15. Appointments**

The Commission may consider and make appointments to other bodies, including its own sub-Commissions, if any, only in open session.

### **Article 16. Sub-Commissions and Teams**

**Section 1. Establishment and Appointment.** The Commission may establish and appoint members for such temporary and standing sub-Commissions and teams as are required by law or needed to help carry on the Commission's work. Any specific provisions of law relating to particular sub-Commissions and teams shall be followed.

**Section 2. Open Meetings Law.** The requirements of the open meetings law shall apply to all elected or appointed authorities, boards, commissions, or other bodies of a local governmental unit that are composed of two or more members and that exercise or are authorized to exercise legislative, policymaking, administrative, or advisory functions. However, the law's requirements shall not apply to a meeting solely among a unit's professional staff. All meetings of subcommittees shall be considered special meetings and shall comply with special meeting requirements provided in Article 5.

### **Article 17. Reference to Robert's Rules of Order**

All appointed Boards, Commissions and Commissions shall refer to the current edition of Robert's Rules of Order Newly Revised, to answer procedural questions not resolved in these rules, so long as RONR does not conflict with North Carolina law or with the spirit of these rules.

### **Article 18. Amendments**

The Town **Board** Council may amend these bylaws by motion.

**TOWN OF WAYNESVILLE TOWN COUNCIL  
REQUEST FOR COUNCIL ACTION  
Meeting Date: 1/27/2026**

**SUBJECT** Closed Session, Economic Development

**AGENDA INFORMATION:**

**Agenda Location:** Closed Session

**Item Number:**

**Department:**

**Contact:** Rob Hites

**Presenter:** Rob Hites

**BRIEF SUMMARY** **The Town has been requested to consider economic incentives to an industry that is considering a site in Waynesville to locate a manufacturing facility**

**MOTION FOR CONSIDERATION:** Motion to go into closed session in accordance with NCGS § 143-318.11. (4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.

**FUNDING SOURCE/IMPACT** **General, Water, Sewer**

**ATTACHMENTS** **None**

**MANAGER'S COMMENTS** See above