

MINUTES OF THE TOWN OF WAYNESVILLE TOWN COUNCIL
Regular Meeting
September 12, 2023

THE WAYNESVILLE TOWN COUNCIL held a regular meeting on Tuesday, September 12, 2023, at 6:02 pm. in the Town Hall Board Room located at 9 South Main Street Waynesville, NC.

A. CALL TO ORDER

Mayor Gary Caldwell called the meeting to order at 6:05 pm with the following members present:

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

The following staff members were present:

Rob Hites, Town Manager
Jesse Fowler, Assistant Town Manager
Martha Bradley, Town Attorney
Candace Poolton, Town Clerk
Police Chief, David Adams
Assistant Police Chief Brandon Gilmore
Misty Hagood, Finance Director
Elizabeth Teague, Development Director
Olga Grooman, Land Use Administrator
Jeff Stines, Public Services Director
Chris Mehaffey, Assistant Fire Chief
Page McCurry, Human Resources Director
Seargent Paige Shell
Lt. Billy Benhart

Members of the Media:

Becky Johnson, the Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and announced that Saturday, September 23rd is the Power of the Pink 5K race, and Sarge's Animal Rescue's 18th Annual Dog Walk, then Sunday the 24th is the Waynesville Public Arts Commission Annual Dog Show at HART Theatre at 5:30pm. Mayor Caldwell added that the next Town Council meeting is Tuesday, September 26th at 6pm.

B. PUBLIC COMMENT

No one signed up for public comment.

C. ADDITIONS OR DELETIONS TO THE AGENDA

Councilmember Sutton made a motion, seconded by Councilmember Dickson, to move item five (Promotion of Paige Shell to Sergeant) to be presented next, and to live stream the meetings, effective today, September 12th, 2023. The motion passed unanimously.

2. Promotion of Paige Shell to Sergeant

- Police Chief David Adams

Police Chief David Adams reported that Detective Paige Shell was recently promoted to Sgt. of Criminal Investigations. Chief Adams said that Sgt. Paige has been with Waynesville since 2007, been an investigator since 2014, and just finished paramedic training. He added that she just won the American Red Cross Life Saving Award this year. He said that she is very motivated and dedicated and is an immense asset to the police department. Chief David Adams then swore in Sergeant Paige Shell.

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.

3.
 - a. August 8th, 2023 Regular Scheduled Meeting Minutes
 - b. Appointment of Dave Barone to the Downtown Waynesville Commission
 - c. Appointment of Travis Tallent to the Zoning Board of Adjustment as an alternate
 - d. Budget Amendment for 2023-2024 Assistance to Firefighters Grant Award
 - e. Purchase of garbage truck with the side loading body from ARP funding
 - f. Walnut Street Historic District Electric Installation
 - g. Consideration of adoption of ARPA grant resolution of acceptance and grant ordinance and budget ordinance
 - h. Selection of the engineering firm for Comprehensive Stormwater Master Plan and grant administration services

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

E. PROCLAMATIONS

4. First Baptist Church Bicentennial Proclamation

- Mayor Gary Caldwell

Mayor Gary Caldwell read the proclamation and proclaimed that the Town of Waynesville hereby recognizes the immeasurable value of this Church to the community over the past two hundred years.

5. Constitution Week

- Mayor Gary Caldwell

Mayor Gary Caldwell read the proclamation and proclaimed September 17th-23rd Constitution Week, marking the 236th anniversary of the signing of the Constitution.

Mayor Caldwell then called for a Moment of Silence in honor of the victims of the September 11th terrorist attacks.

F. PRESENTATIONS

6. Wastewater Treatment Plant- Update #2

- Rob Hites, Town Manager

Town Manager Rob Hites reported that on July 18th, the Department of Environmental Quality announced that Waynesville had been awarded a \$4,877,100 grant to help cover the gap between the \$19,545,000 State Revolving Loan and the \$25,725,000 construction contract. Town Manager Hites presented an overview of the how the sewage treatment plant functions and included the names of the components of the plant and how they relate to the treatment process.

Manager Rob Hites said that Harper Construction Company is moving according to the timetable approved by DEQ. To date, he said the Town has expended \$5,765,083.48 or 23% of the project cost. He said the contractor has completed construction of the grit chamber and influent pump station, parts of the new “headworks” and they are currently constructing the piping and floor of the primary treatment disk filters. He said that the staff has drained two of the aeration basins and are removing the accumulation of debris at the bottom of the basins. Manager Hites said that the basins will be retrofitted with new air infusers that create an optimal environment for the bacteria to breakdown the organic material in the waste. He said that the sidewalls of the secondary clarifiers have been constructed increasing the depth of the basin to eight feet and that the contractor has formed and poured the walls of the “Blower Room” adjacent to the aeration basins.

Councilmember Feichter asked about raising the walls to 12 feet and how that would help to prevent outflow. Mr. Hites said taller walls means that the plant can retain sewage longer, which means it can be treated more.

Councilmember Freeman said the project is going right on course, which Mr. Hites confirmed. He said the Town waited until the project came down to an affordable rate, which took about four months. He mentioned the completion of the project should be January 2025.

Mr. Hites said the project is on budget and the only unexpected expenditure was early on in the project in the amount \$46,000 to remove an old wall we didn't know about. He said there is a contingency account built into the project.

G. PUBLIC HEARINGS

7. Public Hearing to consider the text amendment to add an "Event Space" as a stand-alone use in the Land Development Standards (LDS).
 - Olga Grooman, Land Use Administrator

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to open public comment at 6:35pm. The motion passed unanimously.

Land Use Administrator Olga Grooman reported that per 2035 Comp Plan recommendations, the Planning Board created an ad hoc committee to study the land use challenges and opportunities along the Waynesville railroad corridor. She said that in discussions related to economic development along the railroad, the subcommittee identified a gap in our zoning ordinances. She added that an "event space" is not defined as a stand-alone use. Additionally, she said Development Services received inquiries about converting properties into wedding venues and event spaces as a primary use, and there was no guidance in the LDS for managing their potential impacts.

Ms. Grooman said that this text amendment comes out of the Railroad Subcommittee and proposes a definition of an "event space" with supplemental standards (parking, noise, trash, buffer against residential areas). The Planning Board recommended allowing "event spaces" as a Special Use Permit and proposed to allow them only in the Railroad Overlay District. She said this would limit potential impacts on surrounding areas and give the Planning Board an opportunity to carefully review each application through a quasi-judicial proceeding. In the future, she said property owners could request to add "event spaces" in other districts in the Table of Permitted Uses (LDS 2.5.3) via text amendment procedure that would require approval by the Town Council. Staff presented the text amendment to the Planning Board and got the feedback on June 19, 2023. Ms. Grooman reported that on July 17, 2023, the Planning Board held a public hearing and voted unanimously to recommend it to the Town Council.

There was no public comment.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to close public comment at 6:40pm. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest in that it promotes smart growth principles in land use planning and zoning and that it encourages in-fill, mixed use, and context-sensitive development. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to adopt the Ordinance as presented and that it creates opportunities for a sustainable economy and that it promotes the growth of existing local businesses and Waynesville’s “maker economy”, and promotes Waynesville’s downtown districts, inns, restaurants, and reputation as the “Gateway to the Smokies”. The motion passed unanimously.

8. Public Hearing to consider the text amendment to update the definition of “Freight Hauling/Truck Terminals” in section 17.3 of the Land Development Standards (LDS).
- Olga Grooman, Land Use Administrator

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to open public comment at 6:42pm. The motion passed unanimously.

Land Use Administrator Olga Grooman reported that the current definition of the “Freight Hauling/Truck Terminals” in the LDS is the same as the definition of “Funeral Homes,” which appears to be a copy and paste error from many years ago. However, she said the footnote for the definition has a valid reference to the Land Based Classification Standards (LBCS), a guidance document by the American Planning Association that classifies and defines various land uses. She reported that the staff wished to correct the definition with the intended one from the LBCS.

There was no public comment.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to close public comment at 6:44pm. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest in that it continues to promote smart growth principles in land use planning and zoning and that it encourages mixed use, and context-sensitive development. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to adopt the Ordinance as presented in that it creates opportunities for a sustainable economy and that it promotes the growth of existing local businesses and Waynesville’s “maker economy”, and it creates an attractive, safe, and multi-modal transportation system and it provides an interconnected transportation network of roadways, greenways, freight mobility, bicycle routes, and sidewalks that improve safety and strategic access for all users. The motion passed unanimously.

9. Public Hearing to consider a text amendment to establish a Railroad Overlay District (RR-O) and its uses, sections 2.5.3 and 2.6 of the Land Development Standards.
- Olga Grooman, Land Use Administrator

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to open public comment at 6:46pm. The motion passed unanimously.

Land Use Administrator Olga Grooman reported that underutilized rail corridors present opportunities for economic development. In Waynesville, she said the railroad corridor is an opportunity for commercial, cultural, and residential areas to safely coexist, and an opportunity for increased economic and social vibrancy. Pursuant to the 2035 Comp Plan recommendations, she reported that the Planning Board assigned an ad hoc committee to study land use challenges and opportunities along the railroad corridor. The group consisted of local business owners, community representatives, Planning Board members, and Development Services staff. Additionally, she said staff had discussions with the leadership team of the Blue Ridge Southern Railroad. During five months of work, she added that the subcommittee researched, studied, and discussed potential uses along the corridor, economic opportunities, and how the corridor provides transportation connections and gateways through various neighborhoods and the Hazelwood and Frog Level business districts.

Ms. Grooman said staff presented the text amendment to the Planning Board and got the feedback on June 19, 2023. On July 17, 2023, the Board held a public hearing and voted unanimously to recommend that a railroad corridor zoning overlay be adopted as a text amendment. She said that once that's adopted, the overlay can be placed onto the zoning map through a separate map amendment process.

She said that the map is in the workshop with the Planning Committee now. She said the railroad subcommittee had been working hard and presented the plan to the Planning Board, who then unanimously approved the plan.

Ms. Grooman said the zoning would not be taking anything away, it's only creating more flexibility of use with a special use permit.

Councilmember Sutton commented that the Railroad Overlay plan was started 4 years ago, and he is looking forward to seeing it come to fruition.

There was no public comment.

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to close public comment at 6:54pm. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest promote smart growth in land use planning and zoning by encouraging infill, mixed-use, and context sensitive development, and implementing a railroad overlay district to encourage redevelopment along the corridor, especially in areas with access to existing/future greenway . The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to adopt the Ordinance as presented in that it creates opportunities for a sustainable economy by promoting the growth of the existing local businesses of Waynesville's "maker economy", promote Waynesville's downtown districts, inns, restaurants, and reputation as the "Gateway to the Smokies", and it reviews the LDS to create opportunities within the Town of Waynesville's industrial areas and along the railroad corridor. The motion passed unanimously.

H. NEW BUSINESS

10. Resolutions pertaining to the Town's \$1,009,543 Community Development Block Grant (CDBG)
 - Karen Kiehna, McGill and Associates

Karen Kiehna with McGill and Associates reported that all documents have been completed and there is now a grant number for the sewer improvements along Sawyer Street. She said there will be some training for staff, but other than that, the project will be moving forward. At this stage, Ms. Kiehna said that two resolutions must be approved tonight. She gave an outline of the two resolutions. She said that one resolution is for water improvements and the other resolution is for the sewer improvements. She said they state that after the Town replaces the water and sewer lines, it will adopt fees and charges necessary to maintain the lines. Ms. Kiehna said the resolutions also authorize Rob Hites as the signatory on the application and any other documents associated with the grant.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to approve resolution R-18-23: Develop and Implement a New Stormwater Utility Project Resolution and Form for Certification by the Recording Officer. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to approve resolution R-17-23: Develop and Implement a New Stormwater Utility Project Resolution and Form for Certification by the Recording Officer. The motion passed unanimously.

11. Appointment of Environmental Sustainability Board
 - Councilmember Chuck Dickson

Councilmember Dickson reported that Town Council approved the creation of an Environmental Sustainability Board during a previous meeting. He said he would like to interview Mary Kayler and Jeffrey Burkhalter. Councilmember Dickson said he would like to appoint the following members:

A motion was made by Councilmember Dickson, seconded by Councilmember Feichter, to Dickson to appoint the following individuals to the Environmental Sustainability Board: Aparna Keshaviah, Betsy Wall, Buffy Queen, David Henderson, Kay Kirkman, Keith Ray, Michael Boss, Paul Carson, Reid Conway, William Hite, and Casey Brown (who would serve as an alternate). The motion passed unanimously.

A motion was made by Councilmember Freeman, seconded by Councilmember Sutton, to appoint Councilmember Dickson to the Environmental Sustainability Board. The motion passed unanimously.

Councilmember Dickson said most of the members live within the Waynesville area, all of them live in Haywood County. He mentioned a website called "Re-wiring America" that has a calculator where people can input their zip code and income and can find out what they are eligible for heating and cooling assistance. He said the program should be available by the end of this year or early next year.

12. Interview Logistics for Waynesville Housing Authority applicant
 - Jesse Fowler, Assistant Town Manager

Assistant Town Manager Jesse Fowler reported that the Waynesville Housing Authority has one vacancy. Per the Boards and Commissions manual, he said potential WHA members must be interviewed prior to being appointed. He requested that Council decides who will be interviewing Mr. Ryan Newell, and when.

Councilmember Dickson said that Ryan Newell is the Executive Director of Haywood Habitat of Humanity and given his experience, he would like to waive the interview policy for him.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to waive the interview for Ryan Newell.

A motion was made by Councilmember Dickson, seconded by Councilmember Freeman, to appoint Ryan Newell to the Waynesville Housing Authority.

13. Haywood County TDA request for Council to endorse organization of Product Development Committee
- Rob Hites, Town Manager

Town Manager Rob Hites reported that the TDA is embarking on an initiative to study its product and process. He said they have drafted an RFP to provide technical assistance for creating a new “Tourism Master Plan”. The plan will “develop a cohesive strategy to leverage our unique cultural, historical and natural resources” according to the TDA Director, Corrina Ruffieux. He said a “Product Development Committee” will be established to help develop the strategy and the committee will consist of two to four Haywood County Tourist Development Board Members and an additional six community representatives. In addition to these members, the manager of each Town and the County will also be appointed. He said this would do away with the 1% subcommittee.

Councilmember Feichter expressed concern in that too much of that is unknown. He said at the last meeting, this was proposed, and he supports the development of the tourism master plan. He said his concern is the abolishment of the 1% subcommittee. He said they are staffed by 3 volunteers and that they review the applications for grants for 1% of the grant money and then rates and decide collectively which grants to invest in. He said it currently works well, and he doesn’t seem to understand the reason for the proposed change. He said if they do away with the 1% subcommittee that decides on how to spend money that Waynesville generated, he has concerns.

Councilmember Freeman asked if there is a reason why the Town of Waynesville has not received more grants given the current make-up of the subcommittee. Councilmember Feichter said the transition between the DWA and DWC may have affected that, and that there is only so much money to go around. He said the 1% subcommittee has been overwhelmingly receptive to the grant applications from the Town. He mentioned several murals that were funded. Councilmember Sutton said that the new committee would include many representatives from the Waynesville community and that there is a broad involvement.

Councilmember Dickson asked if the TDA voted unanimously to establish the new committee. Councilmember Feichter said yes, and he also voted for it.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to endorse the concept of the Product Development Committee and the appointment of the manager as a member. The motion passed unanimously.

I. COMMUNICATION FROM STAFF

14. Manager's Report

- Town Manager, Rob Hites

Town Manager Rob Hites reported the fire department received a \$185,928 grant for air packs. He introduced the new Human Resources Director Page McCurry. He said she's from the Macon County Department of Social Services. He said she's been doing a great job and is already holding listening sessions, updated the website and scheduled leadership training and will soon be updating the employee handbook.

15. Town Attorney Report

- Town Attorney, Martha Bradley

No updates.

J. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

Councilmember Dickson said he approved Travis Tallent on Zoning Board
Councilmember Feichter thanked Council for attending the groundbreaking ceremony for the arch. He said there will be a pre-construction meeting on Wednesday and there will be a four-month fabrication process. Mayor Caldwell said new streetlights are up at the new roundabout. Councilmember Sutton thanked staff for live-streaming and recording the meeting. Assistant Town Manager said the meetings can be found on youtube.com by searching @TownofWaynesville and the link is also on our website.

K. ADJOURN

A motion was made by Councilmember Freeman, seconded by Councilmember Dickson, to adjourn at 7:46pm. The motion passed unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Candace Poolton, Town Clerk