

MINUTES OF THE TOWN OF WAYNESVILLE TOWN COUNCIL
Regular Meeting
September 26, 2023

THE WAYNESVILLE TOWN COUNCIL held a regular meeting on Tuesday, September 12, 2023, at 6:00 pm. in the Town Hall Board Room located at 9 South Main Street Waynesville, NC.

A. CALL TO ORDER

Mayor Gary Caldwell called the meeting to order at 6:06 pm with the following members present:

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

The following staff members were present:

Rob Hites, Town Manager
Jesse Fowler, Assistant Town Manager
Martha Bradley, Town Attorney
Candace Poolton, Town Clerk
Misty Hagood, Finance Director
Elizabeth Teague, Development Director
Jeff Stines, Public Services Director

Members of the Media:

Becky Johnson, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and announced that Art After Dark is Friday, October 6th, and the next Town Council meeting is October 10th at 5pm. He added that the Town just opened up a new parking lot on the corner of Haywood and Church Streets, which should help with parking on the south end of Main Street. He said the lot will add 22 new spaces.

Councilmember Sutton asked for a moment of silence for John Husted who passed tonight after a motorcycle accident and was a dear friend of Candace and her husband, and Councilmember Freeman asked for a moment of silence for Detective Scott Muse who spent 33 years with the Police Department and was an advocate for victims of domestic violence, elder abuse, and child abuse.

B. PUBLIC COMMENT

No one signed up for public comment.

C. ADDITIONS OR DELETIONS TO THE AGENDA

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to approve the agenda as presented. 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. September 12th, 2023 Regular Scheduled Meeting Minutes
 - b. Call for Public Hearing for October 10, 2023 to consider the text amendments to clarify the Zoning Board of Adjustment and quasi-judicial procedures in the Land Development Standards(LDS), in compliance with the G.S. 160D.
 - c. Call for a Public Hearing for October 10, 2023 to consider the text amendment to define and prohibit cryptocurrency mining / data centers as a land use in the Land Development Standards (LDS).
 - d. Hazelween Special Event Permit
 - e. Appointment to the Environmental Sustainability Board
 - f. Amendment of the Environmental Sustainability Board Rules and Procedures
 - g. North Carolina Governor's Highway Safety Program Local Governmental Resolution to accept a grant to defray the cost of Police Officer overtime compensation related to traffic safety.

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

E. NEW BUSINESS

3. Community Viability Grant Program
 - Rob Hites, Town Manager

Town Manager Rob Hites reported that several months ago, the Council adopted a Resolution requesting the Department of Environmental Quality to reconsider the Town's request to be designated a "Distressed Community". He said the resolution refers to the Town's qualifying under the Department's point system. The Town was notified Tuesday afternoon we will be included as a "Distressed Community". He said the grant/loan program that funds the Viable Community Program has a deadline of October 3rd. In order to meet the grant deadline, Mr. Hites said the Council must adopt a resolution requesting the funds and submit a grant application to meet the fall grant cycle. Mr. Hites said the recent increase in the State Revolving Loan of \$4,877,000 helped fund the gap between the contract amount and the \$19 million-dollar SRF loan but it did

not cover the entire construction cost much less the engineering fees. He added that should the State offer a loan program that exceeds what the Town can afford or require the Town to fund the balance of the \$10 million dollar request after providing a nominal grant, the Town may choose not to accept the State's offer. He said the state inferred that if they give the Town a loan or grant, they may require the Town, as a condition, to fund the remaining amount with additional private market lending.

Mr. Hites recommended to the Council to adopt the Resolution R-20-23 and submit the report he just gave.

Councilmember Sutton said it's a good idea to go after as much funding as possible.

A motion was made by Councilmember Dickson, seconded by Councilmember Feichter, to adopt the Resolution requesting the State to fund the Town's "Viable Communities Grant" Request. The motion passed unanimously.

4. Bid for Restroom Facility at Obama-King Park

- Rob Hites, Town Manager

Town Manager Rob Hites reported that the Pigeon Community requested that the restroom be re-designed to be a male and female restroom. After considering input from the public, Mr. Hites said the Council directed the staff to re-design the facility to include separate restrooms for men and women. The facility was redesigned and sent to bid. He said staff bid the project and received one bid. He said staff rebid the project in order to seek additional bids and did not receive further bids. Mr. Hites reported that the sole bid received as submitted by Clint L. Watkins at a price of \$119,130.00. Should the Council wish to award the bid, Mr. Hites said they would need to increase the project budget by \$59,130. He said the Finance Director recommends a project budget of \$139,130 to assure that we have the funds to handle the construction of the water and sewer lines and potential change orders. Ms. Hagood recommended that the increase be funded using ARP funds. Once started, the projects would take roughly three months to construct. Staff recommended a ribbon cutting for the project once it's completed.

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to approve the Bid of Clint Watkins. The motion passed unanimously.

5. Budget Amendment for funding Obama-King Park

- Rob Hites, Town Manager

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to approve the budget amendment. The motion passed unanimously.

F. COMMUNICATION FROM STAFF

6. Manager's Report

- Town Manager, Rob Hites

Nothing to report.

7. Town Attorney Report

- Town Attorney, Martha Bradley

Nothing to report.

G. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

Mayor Gary Caldwell said he said he attended the North Carolina Mayors conference in Asheville, and he learned a lot of interesting things.

Councilmember Feichter said that several weeks ago, after the Kavanaugh's had asked about the speeding on East Street, said he sat on their porch with them and observed the speed. He said anecdotally, 50% of the cars slow down, 50% do not. He asked if we could do another speed study. Town Manager Hites said the Town has done six traffic studies on East Street. Councilmember Feichter asked if the study could be done the entirety of East Street. Mr. Hites clarified that would be a huge stretch of road, from Main Street to Main Street including around the hospital. Councilmember Sutton said the study should wait until the roundabout is back in service. Councilmember Dickson asked if the speed cushions can be made bigger and higher to do a better job of slowing down traffic. Mr. Hites said first he can have staff see if the cushions can be made bigger to improve efficacy, then he can get a bid for how much it would cost to do a speed study of all of East Street.

H. CLOSED SESSION

8. Closed Session to discuss a matter of pending litigation per G. S. 143.318 11(a)3: to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged.
- Martha Bradley, Town Attorney

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to move to a closed session at 6:40pm to discuss a matter of pending litigation per G. S. 143.318 11(a)3: to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson to move from closed session at 8:01 pm. The motion passed unanimously.

I. ADJOURN

A motion was made by Councilmember Freeman, seconded by Councilmember Dickson, to adjourn at 8:02 pm. The motion passed unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Candace Poolton, Town Clerk