

MINUTES OF THE TOWN OF WAYNESVILLE TOWN COUNCIL
Regular Meeting
August 13, 2024

THE WAYNESVILLE TOWN COUNCIL held a regular meeting on Tuesday, August 13, 2024, 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 6:01 pm with the following members present:

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

The following staff members were present:

Rob Hites, Town Manager
Jesse Fowler, Assistant Town Manager
Candace Poolton, Town Clerk
Town Attorney Martha Bradley
Elizabeth Teague, Director of Development
David Kelley, Building Inspector
Alex Mumby, Land Use Administrator
Joey Webb, Fire Chief
Jeff Stines, Public Services Director
Wesley Woodbery, Aquatics Supervisor
Luke Kinsland, Recreation Director

Members of the Media:

Paul Nielson, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and announced that the Cemetery Master Plan Public Input Meeting will be on August 22nd, and the next Town Council meeting will be held on September 10th.

B. PUBLIC COMMENT

Robert Earnest-Mr. Earnest thanked Council for cleaning up the Sutton property. Mr. Earnest said that he lives on Country Club Drive and people drive dangerously fast on that road. He requested that the Town installs narrow speed humps that would allow emergency vehicles to still safely drive over them.

Councilmember Sutton said they could do another speed study and, in the meantime, place a flashing speed sign. Councilmember Feichter requested that Chief Webb look into the logistics of emergency services using that road. Mayor Caldwell requested that Mr. Hites look back at the original speed study and see what can be done.

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. Approval of July 9, 2024 Regular Scheduled Meeting Minutes
 - b. Motion to appoint Dave Barone as Chairman to the Downtown Waynesville Commission
 - c. Motion to appoint Leisa Denti to the Waynesville Historic Preservation Commission
 - d. Motion to appoint Mark James to the Waynesville Public Art Commission
 - e. Motion to approve the lease agreement by and between the Town of Waynesville and the Waynesville Police Officers Association.
 - f. Approval of Greenhill Cemetery Tour Special Event Permit
 - g. Approval of Main Street Mile Special Event Permit

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

E. PRESENTATION

3. Report on Environmental Sustainability Committee Activity
 - Mayor Pro Tem Chuck Dickson

Councilmember Dickson reported that the Environmental Sustainability Committee has been very active in its first year and a half. He said the goal was to help the Town reach its renewable energy goals by 2050. He said they have three working groups that are working on Urban Ecology, Energy, and Electric Transportation initiatives. Councilmember Dickson reported that the ESB has successfully applied for and received a “Local Energy Action Program Grant (LEAP)”, a grant that provides technical assistance that aims to direct Waynesville toward its goal of carbon neutrality by 2030. He said there is potential for working on renewable energy projects, possibly a resilience hub at the rec center, and possibly a solar array at the landfill property.

Councilmember Dickson reported that the USDA determined the Town is eligible for rural funding and low interest, long term loans. He added that the ESB has also recently applied for a Forest Service grant to aid the Town in trimming and maintaining its urban canopy.

F. PUBLIC HEARING

4. Public hearing to consider a Zoning Map Amendment for 225 Church Street, PIN 8615-27-0218, from Main Street Neighborhood Residential (MS-NR) to Main Street Residential Mixed Use Overlay (MS-NRMXO, per section 15.14 of the Land Development Standards.
 - Elizabeth Teague, Director of Development Services

A motion was made by Councilmember Dickson, seconded by Councilmember Freeman, to open the public hearing at 6:20pm. The motion passed unanimously.

Development Services Director Elizabeth Teague reported that this hearing is for a request for a zoning overlay on 225 Church Street. Ms. Teague said the area is already zoned to allow child and adult daycares, studios, and cultural community centers. She added that professional services are allowed on corner lots such as the applicant's, and schools are allowed with a special use permit. Ms. Teague said the applicant's request is to create artist spaces, a small restaurant, and a community gathering space. She said most of the uses are already allowed, but the applicant would like to create a retail component so artists can sell their wares and food can be served at a small cafe. She noted that the building was previously a school and has been a traffic generator since the 1930s. She said some members of the public have expressed concerns about parking issues generated by St. John's church located across the street. She said the church uses the 225 Church Street parking lot, but the parking lot is now owned by the applicant, Shereen Malek. Ms. Teague reminded Council that there is a significant artist community, and this project would make use of a vacant building and provide a place for those artists to create and sell their wares, which is directly in line with the Comprehensive Plan. Ms. Teague reported that the Planning Board unanimously voted to recommend that the application was consistent with the Comprehensive Plan and should be approved to allow restaurant use and retail on this lot.

Councilmember Dickson said if the application was approved then the entire space could be used as a retail space or a restaurant.

Councilmember Freeman said it would be a great way to revitalize a vacant building.

Councilmember Sutton asked for Ms. Teague to list the uses that would be allowed if Council did not limit the additional uses to retail and restaurant. Ms. Teague said ATMs, banks, business support services, personal services, dry cleaning, and laundry services would be allowed.

Councilmember Feichter said this is a wonderful opportunity to preserve a building that's been in the community since 1930.

Shereen Malek (applicant)- Ms. Malek said that small businesses are the heart of the Waynesville community, fueling economic growth and thriving with government support. She said that Church Street Studios include

a coffee shop which would not require any structural changes to the building and retail space for artists to sell their wares. She said she recently met with neighbors about noise, parking, hours of operation, and trees. She said she is working on a parking layout and plans to preserve the trees and landscaping, and they will comply with town ordinances. She said she will reference projects like Folkmoot for guidance.

Councilmember Freeman asked what they would do with the tennis courts. Ms. Malek said she'd like to do outdoor markets or events during nice weather.

Angie Schwab (192 Church Street)- Ms. Schwab said she lives across the street from the parking lot or Church Street Studio. She expressed support for the mixed-use zoning overlay. She requested that Council considers traffic and parking solutions. She suggested marking parking spaces, visual buffers around the parking lot, outdoor music regulations, acoustic buffers, and to enforce current noise ordinances. She also thanked Jeff Stines for his work on their street and said his crew does an excellent job.

Rebecca Cronk (173 Church Street)- Ms. Cronk said she lives next door to the parking lot and is in favor of the plans. She said she has concerns about increased traffic and on street parking. She requested an evergreen buffer between the property and the adjacent properties and that no large lights be installed that could shine onto surrounding properties.

Jane Allen Shope (59 Meadow Street)- Ms. Shope said she is excited about the project but concerned about the noise level. She also requested a vegetative buffer around the property.

Jackie Cure- Ms. Cure said she is a builder and developer in Waynesville, and she is building houses above playground area of 225 Church Street. She is also concerned about noise levels. Ms. Cure said she is concerned that if this business fails, that a restaurant or brewery could move into the space.

Tonya Harwood, Executive Director of Haywood Arts Council- Ms. Harwood said she and Haywood Arts Council fully supports the proposed studio. She said they have been looking for space for artists and a space to have classes.

Councilmember Sutton asked since the building has been sitting empty for a year, would they have to update parking? Ms. Teague said no, since they are not changing the building footprint. She said for a restaurant, there would need to be one parking space for every eight seats. Ms. Teague said there are no restrictions on live outdoor music, but music volume would fall under the noise ordinance. Councilmember Sutton also asked if uplighting is allowed. Ms. Teague said no- the town is a "dark sky" community.

A motion was made by Councilmember Freeman, seconded by Councilmember Dickson, to close the public hearing at 6:58pm. The motion passed unanimously.

Mr. Hites said staff could look into the parking situation and make changes as needed.

Council came to the consensus that they would like to include the other uses allowed in the proposed zoning overlay to limit the complexity of zoning ordinance.

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to find that the request is Consistent with the Town of Waynesville 2035 Comprehensive Plan in that it continues to promote smart growth principles in land use planning and zoning by encouraging infill, mixed-use, and context-sensitive development and that it protects and promotes Waynesville’s cultural resources by investing in preservation, restoration and promotion of Waynesville’s history and encourages collaboration among local cultural and heritage organizations and artists to enrich our community with events and education. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to approve the attached ordinance to establish an overlay district at 225 Church Street in that it creates opportunities for a sustainable economy, encourages creatively designed, mixed-use, walkable centers and commercial districts that appeal to residents and visitors, and promotes the growth of existing local businesses and Waynesville “maker economy.” The motion passed unanimously.

G. NEW BUSINESS

5. Request of Town Staff for Council direction on a grant application to the Great Trails State Program Grant to extend the Town’s Greenway System towards Lake Junaluska.
- Elizabeth Teague, Director of Development Services

Development Services Director Elizabeth Teague reported that they learned of a grant opportunity this spring that the Great Trails State Program provides funding for new trail development and extension of existing trails in North Carolina. She said this includes paved trails or greenways, natural surface trails, biking trails, and any other type of trail recognized by the Department of Natural and Cultural Resources. Ms. Teague said this is a one-time grant funding opportunity that would provide \$25 million in non-recurring funds across the state to assist local communities to construct planned trails, with the town being able to receive up to \$500,000.

Ms. Teague outlined the eligible activities for this grant-design and engineering, property and easement acquisition, development of construction documents, construction costs, and trail amenities. She said the working groups of The Haywood County Greenways Council, the Tourism Development Authority, and Haywood County, want to connect the greenway from Lake Junaluska to Waynesville. She said the trail would connect the new greenway to Asheville Highway and the trail head at the end of Industrial Park Drive. Ms. Teague reported that the TDA has committed \$50,000 in cash match for the application, and the greenway trail constructed as part of the Groves at Water’s Edge can be used as in-kind match with a value of \$46,000. Because the grant deadline is September 3, 2024, Ms. Teague said staff can develop a grant budget and application but needs Council approval to proceed. She added that staff would like the Town to match the TDA commitment of \$50,000.

Ms. Teague reported that the maintenance agreement for the greenway has not been upheld by the County. She said the Haywood County Greenway Council will be meeting soon to discuss joint maintenance between county and town staff.

A motion was made by Councilmember Freeman, seconded by Councilmember Dickson, to direct staff to complete an application to the Great Trails State coalition and to work with community partners to develop a plan and budget to extend to connect to Lake Junaluska. The motion passed unanimously.

6. Request from Building Inspections to approve the Resolution Authorizing Demolition of 1727 South Main Street and for bid to contract to demolish the building
 - Elizabeth Teague, Director of Development Services & David Kelley, Building Inspector

Development Services Director Elizabeth Teague congratulated David Kelley for receiving the Outstanding Building Inspector Award for the Western region.

Building Inspector David Kelley reported that the building located at 1727 South Main Street has been collapsing, and after repeatedly contacting the owners, no repairs or demolition have been done. He said they are holding a hearing on August 16th to allow the owners to present evidence for why they have not been making any repairs or demolishing the structure. He said given the imminent danger to the public, he would like Council's approval to demo the structure at 1727 S. Main.

Mr. Hites said that the building is a separate issue from the vehicles on the lot. Mayor Caldwell expressed concern that kids could get into the vehicles and accidentally get trapped.

A motion was made by Councilmember Dickson, seconded by Councilmember Freeman, to adopt the Resolution Authorizing Demolition of 1727 South Main Street. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to approve the contract to demolish the building at 1727 South Main Street up to \$15,000. The motion passed unanimously.

7. Recommend award of contract to Carolina Specialty Fitness in the amount of \$49,518.88 (\$46,459.23 before tax) for cardio equipment replacement at the recreation center.
 - Luke Kinsland, Recreation Director

Recreation Director Luke Kinsland reported that Town Council granted \$50,000 in FY24-25 budget to be allocated in capital outlay for the replacement of a portion of the cardio equipment at the recreation center. Mr. Kinsland said an attempt for three or more bids was conducted through Sourcewell-Carolina Specialty Fitness, Wellness Solutions, and Technogym submitted proposals although recently an attempt to obtain a more recent bid through Technogym was attempted to no avail. Mr. Kinsland said that Carolina Specialty Fitness came in at the low bid with the desirable equipment needed. He said that elliptical machines, recumbent bikes, and upright bikes will be replaced.

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to award the contract for cardio equipment replacement to Carolina Specialty Fitness in the amount of \$49,518.88 (\$46,459.23 before tax). The motion passed unanimously.

Mr. Kinsland said the East Street basketball court work is supposed to start this week, and the paving will be touched up on the new greenway area.

8. Wastewater Treatment Plant: Mounting Platform for Floating Aerator, Safety Switches for Belt Press
- Jeff Stines, Public Services Director

Public Services Director Jeff Stines reported that shortly after the sewer plant was sent to bid, the digester began to fail. He said this is Phase II and PCMI would install the digester and would allow the floating aerator to be converting from aerobic to an anaerobic process, which dries sludge at a better rate and then it can be landfilled. Mr. Stines said the belt press has been renovated as part of the plant improvements, however staff discovered that several “safety switches” need to be replaced as protection for the operators. He said the cost of the switches and their installation amounts to \$22,250.

A motion was made by Councilmember Sutton, seconded by Councilmember Feichter, to approve the bids of A.C.M.I. to fabricate the platform for the aerators and purchase and installation of safety switches for the belt press. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to approve the Budget Amendment as presented (\$150,500). The motion passed unanimously.

9. TextMyGov Service Contract
- Jesse Fowler, Assistant Town Manager

Assistant Town Manager Jesse Fowler reported that TextMyGov is a program that allows residents and customers to receive immediate answers to most of their general questions, as well as allowing another means for residents and customers to report issues to the Town of Waynesville. He said the program provides a mobile-friendly widget to the Town’s website where residents and customers can ask questions regarding the general day-to-day operations of the Town, special events, and utility outages. He said that TextMyGov allows town staff to distribute communications to our residents and customers with the added benefit of receiving communications from them as well. Mr. Fowler said the goal of implementing this program is to improve our resident and customer experience by providing speedy answers to many of their day-to-day questions, while alleviating the staff time required to take and redirect public inquiries to the appropriate person.

Mr. Fowler said the program would originally cost \$9,750 for start up fees, but then would cost \$6,500 a year. The funding would come from all fund sources since it benefits each department.

Councilmember Feichter requested that staff look into the “Enhanced Media and Care Package”, which could help get the word out to residents about the new program.

A motion was made by Councilmember Feichter, seconded by Councilmember Sutton, to approve the TextMyGov service contract and include the “Enhanced Media and Care Package”. The motion passed unanimously.

H. COMMUNICATION FROM STAFF

10. Manager’s Report

- Town Manager, Rob Hites

Nothing to report.

11. Town Attorney Report

- Town Attorney, Martha Bradley

Nothing to report.

I. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

Councilmember Freeman congratulated Fire Chief Joey Webb on his appointment as the President of the North Carolina Association of Fire Chiefs Board.

Elizabeth Teague introduced Alex Mumby, the new Land Use Administrator.

Mayor Caldwell said his presentation at the Kiwanis meeting went well.

J. CLOSED SESSION

12. Closed Session

- Town Attorney Martha Bradley

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to go into closed session pursuant to N.C.G.S. § 143-318.11 to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to return to public session at 8:20 pm. The motion passed unanimously.

K. ADJOURN

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to adjourn at 8:21pm. The motion passed unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Candace Poolton, Town Clerk