

**MINUTES OF THE TOWN OF WAYNESVILLE TOWN COUNCIL**  
**Regular Meeting**  
**February 27, 2024**

**THE WAYNESVILLE TOWN COUNCIL** held a regular meeting on Tuesday, February 27, 2024, 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 6:05 pm with the following members present:

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

The following staff members were present:

Rob Hites, Town Manager  
Jesse Fowler, Assistant Town Manager  
Town Attorney Martha Bradley  
Candace Poolton, Town Clerk  
Elizabeth Teague, Director of Development  
Jeff Stines, Public Services Director  
Luke Kinsland, Recreation Director  
Misty Hagood, Finance Director  
Sharon Agostini, Tax Collector  
Police Chief David Adams  
Assistant Police Chief Brandon Gilmore

Members of the Media:

Paul Nielson, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and announced that the next Town Council meeting will be held on March 1<sup>st</sup> and it will be a planning retreat for Council.

**B. PUBLIC COMMENT**

There was no public comments.

**C. ADDITIONS OR DELETIONS TO THE AGENDA**

***A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to add a Closed Session to the agenda, pursuant to NCGS sec. 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. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure." 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 February 13<sup>th</sup>, 2024 Regular Scheduled Meeting Minutes
- c. Motion to adopt the attached resolution and schedule a public hearing to consider an Annexation Petition.
- d. Motion to call for a Public Hearing for March 12, 2024 to consider Biltmore Baptist Church Conditional District Map Amendment Application, as recommended by the Planning Board.
- e. Motion to call for a Public Hearing for March 26, 2024 to consider a Greenview Subdivision Conditional District Map Amendment (Rezoning) Application, as recommended by the Planning Board.
- f. Motion to call for a Public Hearing for to consider a Local Landmark Designation request from Brookmont Lofts, LLC, at 486 East Marshall Street, PIN 8615-79-8480, known as the historic Haywood Hospital.
- g. Motion to call for a Public Hearing for March 26, 2024 to consider a Longview Subdivision Conditional District Map Amendment (Rezoning) Application, as recommended by the Planning Board
- h. Motion to appoint Landen Stevenson to the Waynesville Recreation Advisory Commission.
- i. Motion to appoint Nathan Webster to the Waynesville Recreation Advisory Commission.
- j. Motion to appoint Tonya Harwood to the Waynesville Public Art Commission.

***A motion was made by Councilmember Feichter, seconded by Councilmember Sutton, to remove item b. (Contract Approval for AT&T Dedicated Fiber for the Recreation Center) from the consent agenda and move it to the regular agenda. The motion passed unanimously.***

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

#### **E. PRESENTATIONS**

3. Kristy McCarthy Public Art Commission Presentation
  - Steve Lloyd, Treasurer, Waynesville Public Art Commission

Steve Lloyd reported that the last piece of art that the WPAC installed was the Plott Hound statue in Hazelwood about 6 years ago. For two years, Mr. Lloyd said the Commission has been working on fundraising for an art piece to be placed at the Pigeon Multicultural Development Community Center for the last two years. He said the Waynesville Public Art Commission (WPAC) received 16 responses to our Request for Qualifications (RFQ) for a new Commissioning, and they narrowed it down to seven semi-finalists. He said that following the semi-finalists' presentations, at a special called meeting of the WPAC on February 16, the WPAC unanimously decided to select Kristy McCarthy as the finalist.

Ms. McCarthy outlined her proposed mural, which will cover two faces of the Pigeon Center building. She said the mural will be designed through a community engaged process. She said the mural is a preliminary design based on the research done about the center and the community. The mural depicted past, present, and future of the center with many symbolic features.

Councilmember Feichter asked about the lifespan of the mural. Ms. McCarthy said that sealant can be reapplied every seven years which will maintain the quality of the mural and will also make graffiti easy to remove.

***A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to commission Kristy McCarthy for the fabrication and installation of a public art installation to be located at the Pigeon Community Multicultural Development Center. The motion passed unanimously.***

4. Kiwanis Request for Council Support to Apply for the Medford Grant
  - Eva Hansen, Kiwanis Club

Eva Hansen requested for the Town of Waynesville's support in the Kiwanis Club's application for the Medford Grant. She said the grant, which is for \$18,000, will be used to improve East Street Park. She said that Kiwanis club plans on upgrading the basketball court, adding a new roof and siding to the storage shed, add new park signage, and cleaning up the exterior of the boy scout cabin. She added that Kiwanis is working with the Haywood Arts Council to provide quilt blocks for the windows.

Councilmember Sutton reminded everyone about the Kiwanis Club annual spelling bee fundraiser to be held on Friday, March 15, 2024, at 7 pm at the First United Methodist Church in Waynesville, NC. Ms. Hansen said it is a major fundraiser for the Kiwanis Club of Waynesville, whose mission is to help the children and adolescents of Haywood County through projects, grants, and scholarships.

***A motion was made by Councilmember Feichter, seconded by Councilmember Sutton, for Town Council to support their application for the Medford Grant. The motion passed unanimously.***

## F. NEW BUSINESS

5. Report on Unpaid Property Taxes/Yearly Tax Advertisement in Local Newspaper

- Sharon Agostini, Tax Collector

Tax Collector Sharon Agostini requested the Town Council approve the yearly tax advertisements in the local newspaper, The Mountaineer. She said this advertisement is in accordance with N.C.G.S. 105-369 and will be advertised March 20<sup>th</sup>.

Councilmember Sutton pointed out that one person owes 7.1% of overdue taxes. There was discussion about potentially placing more than one ad in the paper. Town Attorney Bradley said that statute only requires one advertisement, but they could do more. Councilmember Sutton said that garnishments seemed effective last year. Ms. Agostini said that a lot of folks are making payments, but some are repeat offenders.

Councilmember Feichter requested that Ms. Agostini include the entire balance (including back taxes owed) in another advertisement.

***A motion was made by Councilmember Dickson, seconded by Councilmember Feichter, to approve the yearly tax advertisements in The Mountaineer in accordance with N.C.G.S. 105-369. The motion passed unanimously.***

6. Contract Approval for AT&T Dedicated Fiber for the Recreation Center

- Jesse Fowler, Assistant Town Manager

Assistant Town Manager reported that the internet at the rec center is \$180/month through AT&T and the other internet in the town is provided by ERC for free. He said that right now the internet is 4-20MB/second at the rec center, which is extremely slow. Mr. Fowler said that it would be a dedicated fiber connection, so other people's use would not slow it down.

Councilmember Sutton and Councilmember Feichter said that the price seems high. They requested that staff put out an RFP to other internet providers.

***A motion was made by Councilmember Sutton, seconded by Councilmember Feichter, to table the approval of the contract for AT&T Dedicated Fiber to the Town of Waynesville Recreation Center. The motion passed unanimously.***

**G. COMMUNICATION FROM STAFF**

7. Manager's Report

- Town Manager, Rob Hites

Town Manager Hites reported that Senator Corbin offered \$40,000 to renovate the storage room in the police station to office space. Senator Corbin recently ran into Chief Adams and asked about the expansion of the fire station in Hazelwood. Chief Webb spoke with Senator Corbin and he will be giving the Town a \$50,000

grant to help renovate the building, which is 45% of the project. Council and Staff expressed gratitude to Senator Corbin for their support of the police and fire department.

8. Town Attorney Report

- Town Attorney, Martha Bradley

Town Attorney Bradley said she was contacted by an Asheville attorney regarding “forever chemicals” and a class action lawsuit. She said they are reaching out to water municipalities and requesting they test their water for these “forever chemicals”. She had asked Jeff Stines if staff are running the required EPA tests, and he said that Waynesville is “forever chemical” free. Mr. Stines and Ms. Bradley wanted to publicly thank Kyle Cook in the Water Treatment facility for being diligent, running those tests, and making sure our water is safe.

## H. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

Mayor Caldwell said that Councilmember Feichter is going to talk with Philann Medford about renaming a park to Medford Park.

Councilmember Dickson said the Environmental Sustainability Board had their retreat and it went well.

## I. CLOSED SESSION

9. To enter into closed session pursuant to NCGS sec. 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. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure.”
- Martha Bradley, Town Attorney

***A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to enter into closed session pursuant to NCGS sec. 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. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure at 6:58pm. The motion passed unanimously.***

***A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to enter back into open session at 7:16pm. The motion passed unanimously.***

**J. ADJOURN**

***A motion was made by Councilmember Freeman, seconded by Councilmember Dickson, to adjourn at 7:16pm. The motion passed unanimously.***

ATTEST:

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Gary Caldwell, Mayor

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Robert W. Hites, Jr. Town Manager

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Candace Poolton, Town Clerk