

**MINUTES OF THE TOWN OF WAYNESVILLE TOWN COUNCIL**  
**Regular Meeting**  
**January 23, 2024**

**THE WAYNESVILLE TOWN COUNCIL** held a regular meeting on Tuesday, January 23, 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 6:00 pm with the following members present:

- Mayor Gary Caldwell
- Mayor Pro Tempore Chuck Dickson
- Councilmember Julia Freeman
- 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
- Misty Hagood, Finance Director
- Jeff Stines, Public Services Director
- Police Chief David Adams
- Assistant Police Chief Brandon Gilmore
- Beth Gilmore, DWC Director
- David Kelley, Building Inspector
- Olga Grooman, Land Use Administrator
- Jody Nichols, Building Inspector
- Luke Kinsland, Recreation Director

Members of the Media:

- Becky Johnson, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and announced that the next Town Council meeting will be held on February 13<sup>th</sup>. He mentioned that the DWC will be having an Ice Stroll on Main Street this upcoming Friday.

**B. PUBLIC COMMENT**

Alex McKay: Mr. McKay said that over the last two weeks, he heard some upsetting comments made by a Hazelwood resident about Hazelwood Boosters events affecting her business. Mr. McKay said the Cruise-Ins were held on Saturdays towards the end of summer, 6pm-9pm. He added that Hazelween was 5-7pm and the Christmas parade was on a Sunday. He said that the complainant's business is closed on the days and/or times of those events. Mr. McKay also said the resident said there was a lack of communication. Mr. McKay said that Hazelwood Boosters go individually, door to door, and speak with merchants a month before the events.

### 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. Approve the January 9<sup>th</sup>, 2024 Regular Scheduled Meeting Minutes
  - b. Approve Farm Fresh 5K Special Event Permit
  - c. Approve SOAR Eagle 5K Special Event Permit
  - d. Approve Whole Bloomin' Thing Festival Special Event Permit
  - e. To award the contract for armory roof improvements/repairs to WNC Roofing in the amount of \$86,000.

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

### E. PRESENTATIONS

3. North Carolina Main Street and Rural Planning Center: Jody Nichols Main Street Champion Designation
  - Jesse Fowler, Assistant Town Manager & Beth Gilmore, Downtown Waynesville Director

DWC Director Beth Gilmore said that a Main Street Champion is awarded every year and that individual is someone that make a difference at the local level. She said they are honored officially at the state conference in Goldsboro in March. Assistant Town Manager Jesse Fowler said that many Town employees offer to help without anything given in return. He said that Jody Nichols is a model of this town and offers to help constantly. He added that his willingness to go above and beyond has helped make Waynesville the best downtown there is. Mr. Fowler said that following the appointment of the DWC, there were suddenly many events that needed the Town needed help with, and they knew they could always rely on Jody. Mr. Fowler

nominated Jody to be recognized primarily because of his assistance with the Main Street plan, his positive attitude, and his embodiment of the definition of public servant.

4. BearWise Presentation

- Ashley Hobbs, NCWRC

Ashley Hobbs with the NCWRC presented the six basics of the BearWise program and how the Town can become a BearWise community:

- Never Feed or Approach Bears
- Secure Food, Garbage, and Recycling
- Remove Bird Feeders When Bears are Active
- Never Leave Pet Food Outdoors
- Clean and Store Grills
- Alert Neighbors to Bear Activity

How the Town can become recognized as a BearWise community in NC:

- Reach out to the state agency
- Meet with a biologist to define action items
- Establish methods to enforce changes
- Serve as BearWise ambassadors
- Meet with the state agency annually to check in

Ms. Hobbs recommended that Council hosts a community wide BearWise presentation to further educate the Town residents. She said the program is flexible, but there are a couple of requirements. She suggested that ordinances be put in place to regulate feeding wildlife when bears become attracted to the feeders and ordinances that regulate trash (such as requiring bear safe trash containers or placing trash out the day of collection). Councilmember Freeman asked about human and pet attacks. Ms. Hobbs said that there have been six reported incidences of bears attacking humans in Buncombe County and too many attacks on pets to count. Councilmember Freeman also asked about the influx of coyotes. Ms. Hobbs said that the great thing about BearWise, is the same initiatives that help limit bear and human interaction, also help limit run ins with other potentially dangerous wildlife. Councilmember Dickson asked how much bear proof trash cans cost. Ms. Hobbs said that large trash cans for public use can cost upwards of \$2,000. She said that cans for private use could be \$200. Ms. Hobbs said that Haywood County's biologist/BearWise liaison is Justin McVay. She suggested reaching out and starting BearWise practices before it becomes a problem. Ms. Hobbs said the bear population is increasing 3-5% a year and learned behaviors are passed down to their young, so bear issues can quickly get out of hand.

**F. NEW BUSINESS**

5. Budget Amendment for Haywood County Arts Council Grant Awards

- Misty Hagood, Finance Director

Finance Director Misty Hagood first introduced Taylor Garland, the new Assistant Finance Director. Ms. Hagood reported that the DWC received two Haywood County Arts Council grants: one for the mural and the other to go towards the Haywood Heritage Weekend.

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

## **G. OLD BUSINESS**

### 6. CDBG-I Grant- Engineering Contract

- Rob Hites, Town Manager

Town Manager Rob Hites reported that Council chose McGill as the engineer at the last meeting according to NC general statutes. He said the next step was for staff to put together the contract and present it at this meeting. He said that McGill will be handling the surveying, engineering, design, permitting, bid and award, construction observation and administration of the grant.

***A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to approve a \$156,468 contract to carry out engineering services for the Town's CDBG-I contract. The motion passed unanimously.***

### 7. CDBG-I Grant Administration Contract

- Rob Hites, Town Manager

Town Manager Rob Hites reported that the companion contract is for Grant Administration.

***A motion was made by Councilmember Freeman, seconded by Councilmember Dickson, to approve a \$76,462 contract to carry out Grant Administration for the Town's CDBG-I contract. The motion passed unanimously.***

### 8. Bids for Finance/Fire Department Renovation

- Rob Hites, Town Manager

Town Manager Rob Hites said staff have been working on the design for the old meeting room at the Finance Department for six months. He said that the plan consists of an office for the Finance Director, three offices for the Fire Department and a shared conference room. He said that once the new Fire Station is built, the offices will be overflow for finance staff. Mr. Hites said the lowest bid they had for the renovations was \$131,343,71 and a furniture budget of \$35,000.

Councilmember Sutton asked for clarification on the spaces that will need furnishing. Mr. Hites said the Finance Director, the two finance offices, the assistant Finance Director, the conference room, and the Grant Administrator. Councilmember Sutton said Council is rejecting the proposed renovations for the second story office in Town Hall. Mr. Hites confirmed and said it was because of lack of funding. He added that DWC will be moving to the Municipal Building for the purpose of being closer to Mr. Fowler, and Mr. Hollingsed will be

moving over to Town Hall/Police Department Building. Councilmember Freeman said she is wondering why the DWC is moving to a building that does not have an elevator, which will make it challenging for staff to move the items needed for special events up and down stairs. She asked how moving everyone is a better fit for the employees. Mr. Fowler said that most of the DWC materials are in the basement of the Municipal Building. He added that because he is Ms. Gilmore's supervisor, he would like to have her closer to his office. He said that she could also assist with answering phones for the Town. Councilmember Sutton said that Ms. Gilmore's position is paid for by special tax appropriations and he doesn't want there to be any accidental cross over with her unintentionally being asked to do things for the Town, if she were to be moved to the Municipal Building. Mr. Fowler said her salary is split 80-20, so that staff can ask her to do things outside of the Municipal Service District. Councilmember Freeman asked where the Mayor's office is going. Mr. Fowler said that it will be where the Civilian Police office currently is, and they would go over to the police station. Councilmember Freeman stated that it still doesn't make sense why so many offices and staff have to be moved around. Mr. Fowler said it's primarily so he can supervise Ms. Gilmore and for storage of DWC materials. Councilmember Feichter said he understands that the move is necessary so Mr. Fowler can be closer to his supervisee. Councilmember Freeman said that the Municipal upstairs offices are not ADA compliant, and not heated and cooled. Councilmember Dickson asked about the phone system. Mr. Fowler said that there are not many staff in the building, so it would be helpful to have another staff member to answer phones. Councilmember Sutton said that Ms. Gilmore's position states that 40 hours a week of her job is to be used for things regarding Main Street. Mr. Fowler said that when he sat down with Liz Param and Sherry, they agreed to allow Ms. Gilmore to do some Town-related things. Councilmember Sutton requested that he, Councilmember Freeman, and Mr. Fowler have a meeting to discuss the proposed arrangement.

***A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to approve the bid of \$131,343.71 from PBI for renovation of the old Board Room in the Finance/Fire Department and reject the bid for renovation of the second-floor office space in the Town Hall and to approve a \$35,000 budget for furnishing. The motion passed unanimously.***

## **H. COMMUNICATION FROM STAFF**

### 9. Manager's Report

- Town Manager, Rob Hites

Town Manager Rob Hites reported that the enabling legislation for the TDA board states that municipalities need to provide two names to the county commissioners. Councilmember Feichter said if someone else is interested in the TDA Board seat, that they can have the seat. Mr. Hites said they still need to recommend two names. Councilmember Feichter said he doesn't want to be one of two names, but he would like to be the representative on the TDA Board. Councilmember Dickson said he is interested in serving.

***A motion was made by Councilmember Freeman, seconded by Councilmember Sutton to nominate Councilmembers Dickson and Feichter to the TDA Board. The motion passed unanimously.***

### 10. Town Attorney Report

- Town Attorney, Martha Bradley

Nothing to report.

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

Mayor Gary Caldwell asked for an update on the condemnation of Sambobs. Town Attorney Martha Bradley said the partition action is going on with the Sutton property next door and the Town is not on hold with Sambobs. She said that they are trying to clean up the property and their 60 day timeline to do so is about up, but code enforcement is ready to proceed with demolition. Attorney Bradley said that Code Enforcement has reached out to the Suttons about cleaning up the property, and the Suttons have a buyer lined up for the property. Councilmember Feichter said his concern is the Town has dealt with that property for decades now, so if a buyer takes over and doesn't clean up the property, the Town may have to start the process over again. Attorney Bradley said she will ask David Kelley and Elizabeth Teague to give a report at the next meeting.

Councilmember Sutton announced that Tom and Maggie McDevitt's daughter, Melissa, was found after 362 days in British Columbia and laid to rest today in Virginia. Councilmember Sutton said that Mr. McDevitt emailed him and said that Melissa will forever be remembered in Haywood County once the Waynesville Arch is erected in the spring, and her memorial plaque will be prominently displayed for everyone to see and know what an extraordinary person she was. Councilmember Sutton thanked Councilmember Feichter for his work with the arch and thanked the McDevitts for their generous donation towards the project. Councilmember Feichter said he is thankful they can honor Melissa's memory.

Councilmember Dickson said he and Councilmember Sutton interviewed Travis Collins for the Planning Board and that he is an excellent fit.

***A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to appoint Travis Collins to the Planning Board. The motion passed unanimously.***

Councilmember Dickson said that he attended the Land of Sky Clean Vehicles awards banquet. He said that the Town of Weaverville has EV police vehicles. He said that he and four members of the ESB met with the Sustainability Manager for the Town of Boone and got some great information from them. He also said that at 1pm at the Public Services next Monday, the National Fire Protection and Land of Sky are teaching a program called Ready for EVs.

Councilmember Dickson said that Mr. Hites and Mayor Caldwell went to the Council of Government meeting and it was excellent. He also volunteered to attend the Southwestern Commission meetings. Councilmember Dickson requested that the DWC minutes, ZBA minutes, and Planning Board minutes get updated on egov.

## **J. CLOSED SESSION**

11. To enter into closed session pursuant to N.C.G.S. 143-318.11.(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in

negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

- Martha Bradley, Town Attorney

***A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to enter into closed session pursuant to N.C.G.S. 143-318.11.(a)(5) to establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract at 7:17pm. The motion passed unanimously.***

***A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to go back into open session at 7:44pm. The motion passed unanimously.***

**K. ADJOURN**

***A motion was made by Councilmember Freeman, seconded by Councilmember Dickson, to adjourn at 7:44pm. 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