

MINUTES OF THE TOWN OF WAYNESVILLE TOWN COUNCIL
Regular Meeting
March 26, 2024

THE WAYNESVILLE TOWN COUNCIL held a regular meeting on Tuesday, March 26, 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 6:04 pm with the following members present:

Mayor Gary Caldwell
Mayor Pro Tempore 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
Olga Grooman, Land Use Administrator
Misty Hagood, Finance Director
Sharon Agostini, Tax Collector
Police Chief David Adams
Julie Grasty, Asset Services Manager
Page McCurry, Human Resources Director
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 next Town Council meeting will be held on April 9th and town offices will be closed on March 29th for Good Friday.

B. PUBLIC COMMENT

Chris Scott- Mr. Scott said he is a resident that lives on East Street, and he has witnessed another accident at the corner of South Hill Street and East Street at the bottom of both the hills, the second in the last three to

four months. He would like the town to extend the sidewalk that ends at Shelton Creek so pedestrians don't have to cross the street to get to Main Street. He said drivers run the stop sign and gain speeds over the speed limit of 20mph. Mr. Scott thanked Council for the speed bumps at the top the hill, but he would like to see speed bumps toward at the bottom of the hill to help slow people down.

Rumi Kakareka- Mr. Kakareka said he is the tennis coach for Tuscola High School, and they have practices and matches at the Rec Center tennis courts. He said the conditions of the tennis courts are getting worse and are potentially dangerous. He would like to see them re-done.

James Gross- Mr. Gross said he moved here seven years ago and lives out by Rabbitskin Road. He said he moved here partially because of the recreation facility, particularly the tennis courts. He said the tennis courts desperately need maintenance.

C. ADDITIONS OR DELETIONS TO THE AGENDA

Councilmember Sutton pointed out to the public that the Longview Public Hearing was cancelled and moved to the April 23rd meeting.

A motion was made by Councilmember Sutton, seconded by Councilmember Feichter, to move item #6. "Public Hearing to consider a Greenview Subdivision Conditional District Map Amendment (Rezoning) Application, sections 2.7 and 15.15 of the Land Development Standards (LDS)" to item #3. The motion passed unanimously.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to add a report on a grant the town received from the Department of Energy. 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 March 12, 2024 Regular Scheduled Meeting Minutes
 - b. Accept the CDBG-I Semi-Annual Compliance Report
 - c. To approve/disapprove the addition of a public workshop/meeting for the Cemetery Master Plan in the amount of \$ 8,350 and the associated budget amendment.
 - d. To approve the budget amendment to authorize the use of donation funds from Pepsi for skatepark competition t-shirts/marketing and the budget amendment to authorize the use of donation funds from Peggy Melville for hand dryers at the Vance St bathrooms.
 - e. To reschedule the public hearing to consider a request by Brookmont Lofts, LLC for 486 Marshall Street to be designated as a Local Landmark, for April 9, 2024
 - f. Approval of NC Class Resolution and Interlocal Agreement

- g. Order of Collection
- h. To cancel a public hearing for a Longview Subdivision Conditional District Map Amendment (Rezoning) Application, sections 2.7 and 15.15 of the Land Development Standards (LDS).

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

E. PUBLIC HEARINGS

- 3. Public Hearing to consider a Greenview Subdivision Conditional District Map Amendment (Rezoning) Application, sections 2.7 and 15.15 of the Land Development Standards (LDS).
 - Olga Grooman, Land Use Administrator

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to open the public hearing at 6:11pm. The motion passed unanimously.

Land Use Administrator Olga Grooman reported that the 10.99-acre portion of Waynesville Inn and Golf Club off Greenview Drive (PINs 8614-27-1901 and 8614 27-7912) is the proposed subdivision of 13 single-family homes. She said the area is within Waynesville Inn and Golf Country Club's property and within Waynesville ETJ and the applicant is requesting a Conditional District Rezoning in order to develop the property on 13 individual lots and as the application states, "with the balance of the development areas to remain in a private common area as represented on the attached master plan." She said the project is seeking flexibility in lot width, pedestrian facilities, civic space, alternative landscape plan, and driveway.

If approved, Ms. Grooman said the request would amend the zoning map and create a Country Club Residential Low Density Conditional District (CC-RL-CD) and would relax the LDS requirements specifically for that property and as shown on the proposed master plan.

Ms. Grooman presented the notes from the neighborhood meeting that the developer held on February 19th, 2024. She proceeded to read the purpose and intent statement for the Club Residential Low Density (CC-RL) zoning district (LDS 2.3.1):

"The Country Club Residential—Low Density District (CC-RL) is an area predominately comprised of large lot subdivisions with the Waynesville Country Club serving as its social and recreational center. While single-family homes are the dominant residential use in this area, townhouses and accessory apartments are also permitted. Connections to the South Main Street Business District should be enhanced as new development takes place. A residential scale is required for all new development. Tree preservation and proliferation along the South Main Street corridor is critical to the ambiance of the area. Single-family dwellings are permitted outright without supplemental standards in CC-RL (LDS 2.5.3)."

Per LDS 2.5.3, single-family dwellings are permitted outright without supplemental standards in CC-RL.

Ms. Grooman said the applicant is asking for leniency in the following areas:

- Lot Width Standards

- LDS standards for the proposed “Lane” within the subdivision. The project proposes a 20-ft wide and 950-ft long Lane. It is 150 ft longer than the maximum length specified in the LDS. Additionally, the Fire Marshall and Building Inspections requested the proposed lane to be wider at both fire hydrant locations (beside lots 4,5 and lot 11) for fire access and to avoid blocking the road with fire trucks. At both hydrant locations, the lane needs to be at least 26 ft wide.
- The applicant is requesting a payment-in-lieu for a sidewalk, which is the staff recommendation. Ms. Grooman said that payment collected for the fee-in-lieu option could go towards extending sidewalk in other areas of the neighborhood to greater public benefit such as along Longview or Ninevah.
- Civic space- The developer is asking for credit for existing amenities within the existing golf course and country club.
- Landscaping: The applicant is requesting to remove specific requirements of this section and prepare a site specific landscape plan commensurate with the nature of the plantings contemplated on the Master Plan.
- Parking and Driveways: Each driveway will connect to the Lane within the development traveled only by the residents. The proposal has been reviewed by Town’s public services, fire, and building inspections with no additional comments or concerns.

The applicant provided the environmental survey prepared by the CDC engineering firm. It contains the following information:

- Current conditions (grassy area, part of golf course)
- The property is not in the floodplain
- There are no jurisdictional wetlands or streams on site
- Soil classification (a mix of well-drained soils)
- Proposed erosion control measures (silt fences, sediment basins, temporary diversion ditches)
- Because the project will disturb more than an acre, they will obtain Erosion and Sedimentation permit from the state. The Town will need a copy
- The plan shows post-construction stormwater conveyance systems (pipes). The applicant also submitted stormwater management narrative. The development does not require a stormwater permit because the project will decrease the impervious surface on site (previously removed golf course paths) and treat runoff by the existing Gold Course pond.

Ms. Grooman reported that staff found the Conditional District request is consistent with the 2035 Comprehensive Plan. She read the Planning Board’s recommendations:

1. Lot width standards for CC-RL shall not apply
2. LDS standards for the proposed “Lane” within the subdivision shall not apply (LDS 6.6.2. E)
3. At both hydrant locations, the proposed “Lane” needs to be at least 26 ft wide. The plan needs to be adjusted prior to issuance of the building permit to comply with Fire and Building Codes.
4. The developer will pay payment-in-lieu for sidewalk construction.
5. Civic space requirements of the LDS Chapter 7 shall not apply as the project claims credit for the existing amenities.
6. Landscape requirements of the LDS Chapter 8 shall not apply as the project will propose custom landscaping plan

7. Minimum spacing requirements between the driveways in CC-RL of the LDS Chapter 9 shall not apply.

Councilmember Feichter asked for clarification about the payment-in-lieu. He asked if the easement within the neighborhood is staff recommended, and whether the Council can make that a condition of approval. Ms. Grooman responded yes, it is the staff's recommendation, and yes, Council has the final say.

Patrick Bradshaw with Civil Design Concepts reported that he is presenting on behalf of the Waynesville Inn and Golf Club. He answered Councilmember Sutton's question about Lane length- he said it would be 950 feet long. Mr. Bradshaw said the new owners have made millions of dollars' worth of renovations and have saved the club from going out of business.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to extend the applicant's time to speak. The motion passed unanimously.

Councilmember Dickson asked Mr. Bradshaw if water pressure will be an issue. Mr. Bradshaw said he didn't believe so.

Emily Clark, the architect for the project, said that the firm wants to build on the traditions of WNC. She said the quality of landscaping and construction materials will be high. She said the architectural standards do not dictate specific style, but do offer guidelines. She said 35 feet would be the average house height.

Councilmember Dickson asked about waiving landscape requirements. Mr. Bradshaw said that no buffering is required, but there are street trees which are mature. He said they don't want to block the view of the neighbors on the hill. He added that there are trees existing along Greenview.

Councilmember Dickson asked if Council could put a limit on how tall the buildings can be. Town Attorney Martha Bradley said the Council has significant discretion. Ms. Grooman said the standards limit buildings at 60 feet tall, with each story limited to 14 feet. Councilmember Feichter said he prefers to leave the height standard at 60 feet. Councilmember Dickson confirmed that they would not have to vary height standards since the average building height will be 35 feet.

Annette Brunn said she lives off of Greenview. She said she walks often, but there are no sidewalks, and she would like to see sidewalks installed as a part of this project. Town Attorney Martha Bradley said the project will give the town an easement so the town can install a sidewalk where staff recommend it in the affected neighborhood, with strong preference along the northern part of Longview.

Linnea McAden said she mirrors Annette's comments.

Councilmember Feichter asked staff where they plan on putting the sidewalk. Ms. Grooman said after looking at all locations, staff decided that the best option would be to install the sidewalk will starts at the base of the hill at the entrance of the club, along northern Longview, and the length should be 950 feet, equal to the length of the proposed lane within the subdivision.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to close the public hearing at 7:07pm. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to find the Conditional District Map Amendment as proposed as being consistent with the 2035 Land Use Plan and reasonable and in the public interest in that it continues to promote smart growth principles in land use planning and zoning by encouraging in-fill, mixed use, and context-sensitive development and promotes conservation design to preserve important natural resources, with the following conditions:

Lot width standards for CC-RL shall not apply, LDS standards for the proposed "Lane" within the subdivision shall not apply (LDS 6.6.2. E), at both hydrant locations, the proposed "Lane" needs to be at least 26 ft wide. The plan needs to be adjusted prior to issuance of the building permit to comply with Fire and Building Codes, the developer will pay payment-in-lieu for sidewalk construction, contingent that it be with staff recommendation, with priority of the sidewalk construction to begin at the country club entrance and alongside Longview, civic space requirements of the LDS Chapter 7 shall not apply as the project claims credit for the existing amenities, except that residents may be guaranteed access to the green space at the current country club, landscape requirements of the LDS Chapter 8 shall not apply as the project will propose custom landscaping plan, and minimum spacing requirements between the driveways in CC-RL of the LDS Chapter 9 shall not apply. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to approve with conditions the Conditional District Map Amendment in that it creates a range of housing opportunities and choices., encourage new housing inside Waynesville's city limits and Extraterritorial Jurisdiction (ETJ), and promotes a diverse housing stock including market rate, workforce housing and affordable options that appeal to a variety of households. The motion passed unanimously.

F. PRESENTATIONS

4. Presentation by Forest Stewards on their activities in the Watershed

- Dr. Peter Bates

Dr. Peter Bates presented the updates on the forest stewardship activities with the Waynesville Watershed. Introduced Matt Vaughn, the director of stewardship and forestry education. Dr. Bates said they are currently working with NC Forest Service to implement a prescribed burn program at no cost to the town. He explained that prescribed burns are used to prevent uncontrolled wildfires from overwhelming a forest landscape by removing hazardous fuels such as low growing vegetation, and it helps fire adapted species of trees.

Councilmember Feichter asked when the controlled burning will start. Dr. Bates said it could be as early as next month and the prescribed burning would be a regular scheduled thing. He offered for Council to tour the watershed.

5. Presentation of awards to 2023 Christmas parade winners

- Eva Hansen, Kiwanis Club President

Eva Hansen presented the winners of the Christmas parade. She said that Woodland Baptist Church was 1st, Sk8way placed 2nd, and the Caldwell rock yard placed 3rd. She also mentioned that Kiwanis received the Medford endowment so they can begin work on the East Street park.

6. Report on Delinquent Property Taxes

- Sharon Agostini, Tax Collector

Ms. Agostini presented a report of all unpaid real estate taxes with a balance of more than \$5 for tax years 2013 to 2022. She said the top 11 account for 41.83% of the past due amount. She said for the most part, people have been cooperative. Ms. Agostini requested Council's approval of working towards rent garnishments. Council agreed that they gave permission in years past and would like to continue with that measure of collection.

G. NEW BUSINESS

7. Approve and award of contract to Dan Grady Co in the amount of \$163,500 for the Richland Creek Greenway trail construction at the old "Schulhoffer" property.

- Luke Kinsland, Recreation Director

In response to the public comments made earlier regarding the tennis courts, Recreation Director Luke Kinsland said they were quoted \$44,000 to resurface the tennis courts, and half a million to 1.4 million dollars to reconstruct and move the courts.

He reported that staff sent out formal sealed bid invitations in late January and bids were due February 22nd. He said there were four contractors who bid on the greenway trail paving project. This project is part of the ongoing PARTF grant to the Town from 2020. He said that Dan Grady Company was the lowest bidder at \$163,500. He added that Bell Engineering is providing light supervision of this project and did reference checks and they have recommended the Town award the contract to Dan Grady Co.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to approve and award the contract to Dan Grady Co in the amount of \$163,500 for the Richland Creek Greenway trail construction at the old "Schulhoffer" property. The motion passed unanimously.

8. Approve the quote for employee survey services from the University of North Carolina School of Government Workplaces Initiative.

- Page McCurry, Human Resources Director

Human Resources Director Page McCurry said that during the Council Retreat on March 1, 2024, Councilmember Jon Feichter requested that she look into conducting an employee satisfaction survey. Ms. McCurry said she spoke with Leisha DeHart Davis, Director of the Local Government Workplaces Initiative and professor of public administration and government at the UNC-Chapel Hill School of Government, for a quote to conduct a Basic Employee Satisfaction Survey for The Town of Waynesville. She said that over the past 20

years, LGWI has surveyed, interviewed, or facilitated group discussions for nearly 16,000 employees in 35 local government organizations.

She said staff would need three weeks to promote the survey to employees and the survey could be done in May. She said the quote includes: Full time and Part time staff can take the survey, department heads will receive trainings on how to handle employee questions, they would send out personalized invitations to staff, they track non-respondents, conduct follow-up analysis, HR could customize the survey, staff would receive weekly updates on response rate per department, they would deliver visualizations of survey results, they could see comparisons with other organizations responses, and they would deliver the results from Chapel Hill at a Council meeting if Council would like. She said the survey would allow HR to understand overall workplace climate and recognize areas of improvement.

A motion was made by Councilmember Feichter, seconded by Councilmember Dickson, to approve the \$10,000 quote for services from the SOG Local Government Workplaces Initiative and appropriate the recommended funds for the basic survey. The motion passed unanimously.

9. Water Shortage Response Plan
 - Rob Hites, Town Manager

Town Manager Rob Hites reported that the Town of Waynesville is required by the Division of Water Resources, NCDEQ to present the WSRP (Water Shortage Response Plan) to the Town of Waynesville Council and must be adopted by resolution by Council to be considered compliant with the division. He said that it has five levels of water shortage response; the first one is a voluntary 5% reduction, the second is a 10% reduction, the third is mandatory reduction, the fourth is 25% reduction, and the final is water rationing.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to adopt by resolution the WRSP (Water Shortage Response Plan). The motion passed unanimously.

10. Interview Logistics for Zoning Board of Adjustment applicant
 - Elizabeth Teague, Director of Development Services

Development Director Elizabeth Teague reported that the Town of Waynesville's Zoning Board of Adjustment has three vacancies, all of which are "alternate" positions. She said with the recent and sudden vacancies, staff had to cancel April's ZBA meeting due to lack of a quorum, which delayed 3 variance requests. She requested that Council expedite these appointments so that the ZBA could have a full Board for their April 2nd meeting.

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to appoint John Mason and Sam Hyde as alternates to the Zoning Board of Adjustment. The motion passed unanimously.

11. DOE LEAP Grant
 - Councilmember Chuck Dickson

Councilmember Dickson announced that the Environmental Sustainability Board was awarded the Department of Energy LEAP Grant for upwards to \$750,000. He said the grant will include technical assistance for clean energy planning and development of community resilience microgrids. He added that it also provided up to \$50,000 to help implement the plan. He said the name of the plan is “Greening the Grid in Southern Appalachia”. Councilmember Dickson said the census tract is near the same area as the CDBG grant, in south part of town. He said that 40% of all federal climate and clean energy investments go to disadvantaged communities.

H. COMMUNICATION FROM STAFF

12. Manager’s Report

- Town Manager, Rob Hites

Mr. Hites requested Council’s permission to apply for a \$3 million grant called the Grid Resilience and Innovation Partnership grant. He said the town is eligible for a 25% match. He said this grant will allow the Town to install a full AMI meter reading system and advanced technical capabilities for the substation. Council recommended that Mr. Hites to apply for the grant.

Mr. Hites said that April 17th at 5pm will be the Council Budget meeting, so the budget can be presented in May.

A motion was made by Councilmember Dickson, seconded by Councilmember Freeman, to schedule a special called meeting on April 17th at 5pm in the Municipal Conference Room for the purpose of discussing the 24-25 FY budget.

13. Town Attorney Report

- Town Attorney, Martha Bradley

Nothing to report.

I. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

Nothing to report.

J. ADJOURN

A motion was made by Councilmember Sutton, seconded by Councilmember Feichter, to adjourn at 8:53pm. The motion passed unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Candace Poolton, Town Clerk