

MINUTES OF THE TOWN OF WAYNESVILLE TOWN COUNCIL
Regular Meeting
September 23, 2025

THE WAYNESVILLE TOWN COUNCIL held a regular meeting on Tuesday, September 23, 2025, 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, Deputy Manager
Candace Poolton, Town Clerk/Assistant to the Manager
Martha Bradley, Town Attorney
Luke Kinsland, Recreation Director
Alex Mumby, Land Use Administrator
Olga Grooman, Assistant Development Services Director
Elizabeth Teague, Development Services Director
Ricky Bourne, Public Services Director
Ian Barrett, Finance Director
Fire Chief Chris Mehaffey
Page McCurry, Human Resources Director

The following members of the media were present:

Paul Nielsen, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and announced that the next Council meeting is October 14th and Church Street Craft Show is October 11th.

B. PUBLIC COMMENT

There were 10 public commenters: Ashley Nesbitt, Kenny Mull, Kevin Ensley, Eva Hansen, Taryn Estes, Delaney Buchanan, Rhonda Buchanan, Mark Caldwell, Tyler Beamer, and Samantha Young. They all expressed support for girls softball and keeping Dutch Fisher Field.

Councilmember Feichter emphasized that the Town is not talking about closing Dutch Fisher, that they are discussing fixing Dutch Fisher. Councilmember Sutton referenced the agenda and said they are fixing Dutch Fisher and expanding the program.

C. ADDITIONS OR DELETIONS TO THE AGENDA

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to place agenda item 4, "Waynesville Ballfield Rebuild Proposal – Council Summary", before agenda item 3. The motion passed unanimously.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to add "Energy Efficiency Day Proclamation" and "Approval of two resolutions and Capital Improvement Plan Amendment for State Resolving Grant/Loan Applications" to the agenda and to approve the agenda as amended. 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 September 9, 2025 Regular Meeting Minutes
 - b. Motion to approve the Haywood Heros Special Event Permit
 - c. Motion to approve the Holiday Night Market Special Event Permit
 - d. Motion to approve the Budget Amendment for Development Services
 - e. Motion to approve the Budget Amendment for the Sewer Plant Repairs and Improvements
 - f. Motion to approve the Budget Amendment for the Town Council Budget
 - g. Motion to appoint Tommy Rose to the Planning Board
 - h. Motion to approve the addition of Certified Arborist Certification to Appendix A of the Town of Waynesville Personnel Policy.
 - i. Motion to approve the one-year contract for social media archiving through Sharp Archive in the amount of \$1,191.24.

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

E. PRESENTATIONS

3. Waynesville Ballfield Rebuild Proposal – Council Summary
 - Nick Lowe, McAdams

Recreation Director Luke Kinsland reported per Federal guidelines, staff put out an RFQ for bids to create a more flood resilient facility so that FEMA can reimburse town funds. He emphasized that the intention was to always keep Dutch Fisher field where it is.

Nick Lowe with McAdams presented cost overview and features of the ball fields. He said that McAdams staff walked the sites with FEMA and learned how they can make the fields more resilient against flooding for the next 50 years. He said that Dutch Fisher is the most susceptible to flooding because it is between two creeks. Mr. Lowe said the bathrooms have been condemned. Mr. Hites explained the coordination with FEMA and said they've been waiting on the restoration value from them for four months, and in order to get 100% of the restoration value, FEMA wants to see a project that makes the space less susceptible to flooding. Mr. Lowe outlined the cost estimates and features of each project:

- **Dutch Fisher Field (original site):**
 - Estimated total cost: **\$3,156,115**
 - Includes restroom, parking, stream restoration, greenway connection, and full ballfield renovations.
 - High costs and FEMA repayment risks make this option financially challenging.
- **Vance Street Field (renovation option):**
 - Estimated cost: **\$2,297,123**
 - Value engineering (removing press box, drainage, and lighting) lowers cost to **\$1,800,139**
- **New Proposal – Recreation Park Relocation:**
 - Construct a youth softball field at **Waynesville Recreation Park**.
 - Estimated cost: **\$350,000**
 - Dutch Fisher Park could instead become a **multi-use field and greenway trailhead**, reducing flood risk concerns.

Mr. Lowe said they considered relocating the softball field to Recreation Park since a lot of the infrastructure needed is already there and that would achieve a cost savings of approximately \$2.6 million, while still providing upgraded ballfield facilities and enhancing community recreation. Mr. Hites said they could restore Dutch Fisher as it was and create the new location at Rec Park which means there would be two girls softball fields. Mr. Hites said that lighting is not FEMA reimbursable because it didn't flood, but the electric department can install the lighting to help cut costs.

Councilmember Sutton encouraged everyone to contact their federal and state representatives and encourage them to advocate for FEMA funds in Waynesville. Mr. Kinsland stated that with the help of the advisory commission, they are looking at grants to pull in more money to help rebuild the parks. Councilmember Dickson thanked the people that shop in Waynesville and people who live in Waynesville and pay property taxes, because those funds support the recreation facilities. He said that 80% of the people that use the facilities do not live in Waynesville, and he encouraged the County to contribute funds to help support the facilities.

4. Presentation by Mackey McKay

- Mackey McKay

Mr. McKay explained the importance of youth athletics. He said he could get a group of volunteers to help get the Dutch Fisher field operational again, but it would also cost money. Mayor Caldwell asked Mr. McKay how much it would cost to fix the Dutch Fisher field and Mr. McKay could not provide an estimate at that time

but said the Elks Lodge used \$150,000 in donations and grants to repair their field. He added that a new fence would probably cost \$60,000. Mayor Caldwell requested that Mr. McKay put together an estimate for the rebuilding of Dutch Fisher field. Mr. McKay said it would probably cost \$40,000 to rebuild the outfield and he wasn't sure about the infield. Councilmember Fiechter asked what could be constructed or fixed the quickest. Mr. Hites said if they have volunteer efforts, that would be the best option.

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to accept Mr. McKay's presentation for information. The motion passed unanimously.

Councilmember Sutton emphasized that the proposed Vance Field may be finished before Dutch Fisher field.

A member of the audience pointed out that the Vance field construction would make it so that the girls have somewhere to play while Dutch Fisher is being restored. Mr. Kinsland said the goal is to provide a softball field and explore the idea of scheduling tee ball and softball on the same field in the meantime. He added that the vision and mission of Parks and Rec is to meet the goals of all age groups. Mr. Lowe said that bases and fences can be designed to be moveable so that multiple age groups could be accommodated on the same field.

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, that the Town Council renovation of the Rec Park Athletic Field for use as a softball field at an estimated cost of \$350,000. This renovation provides an estimated cost savings of approximately \$2.6 million compared to rebuilding at Dutch Fisher as a flood resistant athletic facility. Dutch Fisher Park will be renovated to use in the same footprint as before the flood once we have the cost estimate. The motion passed unanimously.

5. Presentation of Dog Park Design by Civil Design Concepts (CDC)

- Luke Kinsland, Recreation Director

Mr. Jesse Gardner with the CDC presented the proposed dog park design. He showed the dog park to be at the northwest corner of Vance Park and described the lot as being almost .75 acre. He said the dog park will have proper draining, be safe, and easier to access with the location of the sidewalk and its own parking lot. He described the plan as having exterior down lit lighting, high-quality mulch, and shade structures over the benches. He said the plan would cost \$500-\$600,000 and the town could save money by doing the electric themselves.

Councilmember Fiechter asked how large the shade structures will be. Mr. Gardner said there is \$30,000 budgeted for landscaping, which would include trees. Mr. Kinsland suggested repurposing the benches and adding shade structures to them. Councilmember Sutton said full grown trees could be moved to the dog park for shade, but Mr. Gardner said that's usually a very expensive process.

A motion was made by Councilmember Freeman, seconded by Councilmember Sutton, to accept the presentation for information. The motion passed unanimously.

F. PUBLIC HEARING

6. A public hearing to consider text amendments related to signage (LDS Chapters 4, 11, 17).
 - Alex Mumby, Land Use Administrator

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to open the public hearing at 7:39pm. The motion passed unanimously.

Land Use Administrator Alex Mumby reported that Staff has been working with the Planning Board to update regulations related to signage. He said these included the clarification of how signs within murals are interpreted, the scale of signage in Regional Center and Commercial Industrial districts, clarification for portable signs, replacing the term “Master Development” with multi-tenant shopping centers, new guidelines for dimensions of neighborhood entrance signs, updating the treatment of facsimile signs, combining of Temporary Sign sections, and the updating of references to the General Statutes.

Councilmember Sutton asked if the political signs ordinance can be altered in the middle of a political campaign. Development Services Director Elizabeth Teague clarified that the ordinance is being updated in accordance with state statutes. She suggested that Council impose a portion of the ordinance after the election. Town Attorney Martha Bradley said Council could make a motion to approve the ordinance with an amendment that would have Section 11.5.12 effective after the election, December 1st.

Councilmember Sutton asked about the truck in front of Pioneer Seed and Supply. Mr. Mumby said that would fall into a facsimile sign. Councilmember Freeman emphasized that the Pioneer Seed and Supply truck would stay.

There was no public comment.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to close the public hearing at 8:03pm. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Feichter, to find the Draft Ordinance for a text amendment consistent with the 2035 Comprehensive Plan in that it creates walkable and attractive neighborhoods and commercial centers and reinforces the unique character of Waynesville. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Feichter, to approve the adoption of the text amendment as amended to delay the effective date of 11.5.12 to December 1st, 2025. The motion passed unanimously.

F. PROCLAMATION

7. Energy Efficiency Day Proclamation
 - Mayor Gary Caldwell

Councilmember Dickson summarized the proclamation that proclaims October 8th, as Energy Efficiency Day. He said that on October 4th at the Shelton House, the ESB will be tabling and educating residents on how to save energy.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to have the mayor sign the proclamation. The motion passed unanimously.

G. NEW BUSINESS

8. Update Town of Waynesville Personnel Policy Article IV. Recruitment and Employment Section 2. Recruitment, Selection, and Appointment
 - Page McCurry, Human Resources Director

Ms. McCurry introduced recent changes enacted by Session Law 2025-16 (effective October 1, 2025) which mandates all counties and cities in North Carolina to conduct criminal history record checks for applicants seeking employment in positions that involve working with children. She explained that according to the new statutes (G.S. 153A-94.2(b) for counties and G.S. 160A-164.2(b) for cities), local governing boards are required to ensure that all applicants for these roles undergo a fingerprint-based criminal record check through the North Carolina State Bureau of Investigation (SBI).

Ms. McCurry explained how the new requirement changes the Town's existing hiring process in a few essential ways:

- The Town must extend a **conditional offer of employment** which must explicitly state that the final hiring decision is contingent upon the results of the SBI criminal history record check. There is an example of this conditional offer of employment in your agenda packet for reference.
- Once a conditional offer is accepted, the applicant will be responsible for completing and submitting the required forms and undergoing electronic fingerprinting at a law enforcement agency. Ms. Angel has already been in contact with the Haywood County Sheriff's Department to establish the necessary relationships and guidelines to assist applicants in this part of the hiring process.
- The SBI criminal history record check process does not happen quickly. The discussions I've had with Town of Waynesville Police Department Administrative Assistant, Diane Robinson, suggests that each record check can take up to two weeks to complete. Please keep in mind that our current hiring process does not require a background check until after the candidate onboards with the Town, and the new requirement will significantly increase the time it will take to hire qualified candidates in specific roles with the organization.
- At the time the SBI criminal history record check is complete, the individuals authorized by the SBI to review the results, which include HR Coordinator Brittany Angel and myself, must review the applicant's record and consider the results in a final hiring decision.
- A confounding issue with the new law is that it does not provide a definitive list of offenses that automatically disqualify an applicant from employment in a role working with children. SL 2025-16, states that the SBI authorized individuals "may consider the results of these criminal history record checks in its hiring decisions".

She emphasized that she and Ms. Angel are not permitted to discuss the details of the criminal history record with the hiring manager or department head and that they must only disclose a hiring recommendation upon review of the criminal history record.

She said another important aspect of the new law is that the results of an SBI criminal history record check conducted for a role working with children, such as a Childcare Aide or a Summer Camp Counselor, cannot be used to disqualify an applicant from a different role, such as a Maintenance Technician or Code Enforcement position, that does not involve working with children. She said that her and Ms. Angel are bound by

confidentiality to safeguard this information as it pertains to all future instances of a disqualified applicant applying for other roles within the organization.

To moderate the impacts of this new unfunded mandate, the HR Department recommended starting the recruitment process for seasonal Summer Camp Staff personnel earlier than normal and instituting the incentive of hiring bonuses for new hires who patiently waded through the new process. Additionally, she explained that the Parks & Recreation Department could use this mandate as an opportunity to set the Town's children's programming apart from competitors as a safer option for families in the community, ultimately increasing the demand for our services.

Councilmember Sutton said that puts HR in a precarious position. Attorney Bradley said most of the disqualifications are already felonies, which Council has already voted to not hire anyone with a felony conviction.

A motion was made by Councilmember Dickson, seconded by Councilmember Freeman, to approve the implementation of the new criminal history record check requirements as mandated by Session Law 2025-16, effective October 1, 2025. This motion includes the following actions:

- ***Adoption of Policy Updates: To revise our personnel policies and procedures to require criminal history record checks for all applicants for positions that involve working with children, in compliance with G.S. 153A-94.2(b) and G.S. 160A-164.2(b).***
- ***SBI Coordination: To designate appropriate personnel to coordinate with the North Carolina State Bureau of Investigation (SBI) for the execution of fingerprint-based criminal record checks, ensuring compliance with G.S. 143B-1209.26.***
- ***Training and Communication: To provide necessary training to staff involved in the hiring process regarding the new requirements and to communicate these changes effectively within the organization.***
- ***Review of Position Descriptions: To review and assess current job descriptions to identify positions that require the criminal history record check based on responsibilities involving work with individuals under 18 years of age.***
- ***Compliance Monitoring: To establish a process for ongoing monitoring and compliance with these new requirements.***

The motion passed unanimously.

9. Reassignment of Jan Grossman and Jessi Stone. Appointment of Jan Grossman as Regular Member and Jessi Stone as Alternate Member of the Zoning Board of Adjustment (ZBA).
 - Olga Grooman, Assistant Development Services Director

Ms. Grooman reported that on August 12, 2025, the Town Council appointed two new members- Jessi Stone and Mary Ford- to the Zoning Board of Adjustment (ZBA), replacing former Regular Members- Henry Kidder and Joshua Morgan. She cited Waynesville's *Boards and Commissions Manual*, "Vacancies shall be filled for the remainder of the unexpired term of the person being replaced." Since departing members were Regular Members of the ZBA, she said the newly appointed individuals were appointed as Regulars in their place, per the *Manual*.

Ms. Grooman said that Jessi Stone has since expressed desire to serve as an alternate member in order to observe and learn quasi-judicial procedures. She said that Jan Grossman, a current alternate member, expressed interest in being a regular ZBA member. She explained that Jan has served on the ZBA since March 11, 2025, and previously served on the Planning Board and that the reassignment would better align both members' experience with the roles on the ZBA.

Council requested that staff revise the Boards and Commissions Manual to specify that Council consider alternates when a regular vacancy opens up and that person then serves the remainder of that person's term.

A motion was made by Councilmember Feichter, seconded by Councilmember Dickson, to reassign Jan Grossman as a Regular Member and Jessi Stone as an alternate member of the Zoning Board of Adjustment. The motion passed unanimously.

10. SRF Loan/Grant application for Browning Branch and Little Champion Pump Station

- Rob Hites, Town Manager

Town Manager Rob Hites reminded Council that in the spring funding cycle, McGill Associates drafted a State Revolving Loan application to fund the Little Champion Pump Station in which the Town was expecting to receive considerable loan forgiveness due to its status as a Helene storm victim and Distressed Community. He said the application was funded but the State provided no "Principal Forgiveness". He said because of the background work that McGill had done on the \$8.7 million dollar loan, they were able to apply for the new loan on the short notice given by the State. He reported that McGill is requesting that Waynesville compensate them \$4,000 for the application and in addition to the new Little Champion Loan application, they recommend that the Town contracts with them to prepare a loan application with the opportunity for loan forgiveness to rebuild the Browning Branch Water Pump Station. Mr. Hites stated that this station needs redesign and rehabilitation and that the water pump station funding comes from a different funding source than the sewer loan/grants we have been targeting for Little Champion Sewer Pressure Pump Station. He referenced the attached proposal that outlines their services in preparing a competitive application that should score very highly in the State's process. He said that the costs for preparing these grants is significantly reduced from previous proposals due to the background material that the grant writers accumulated when they prepared the original Little Champion loan application. He said that McGill proposed to draft the Browning Branch water loan application for \$6,500 and the proposal for both applications is \$10,500 with one application to be funded through the sewer fund and the other through the water fund.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to approve McGill's proposal. The motion passed unanimously.

11. Approval of two resolutions and Capital Improvement Plan Amendment for State Resolving Grant/Loan Applications.

- Rob Hites, Town Manager

Mr. Hites reported that the State continues to offer grant/loan opportunities for rebuilding infrastructure in Helene damaged areas. He said that Waynesville was awarded \$5 million dollars of its \$8.65 million dollar "Little Champion" pump station and that they will apply for the remaining funds in the upcoming cycle. He said the State is also offering SRF grant/loans for water and wastewater projects in the spring cycle. Mr. Hites

presented two resolutions, one that gives the staff permission to apply for a \$2,500,000 “Resiliency Project” at the Waste Treatment Plant which would help flood proof the building and move the contact chlorinator of the flood zone and the other that would amend the Town’s Capital Improvement Plan to include the projects outlined in the resolutions. You will find the Amended Capital Improvement with the \$3,650,000 Little Champion and \$2,500,000 Resiliency Upgrade added to the 2026 fiscal year.

A motion was made by Councilmember Dickson, seconded by Councilmember Feichter, to approve the Resolution amending the Capital Improvement Plan. The motion passed unanimously.

A motion was made by Councilmember Dickson, seconded by Councilmember Freeman, to approve the Resolution permitting the staff to apply for the SRF grant/loan. The motion passed unanimously.

I. COMMUNICATION FROM STAFF

12. Manager’s Report

- Town Manager, Rob Hites

Town Manager Hites said the state recently awarded the Town the \$5 million dollar grant for the sewer grant.

13. Town Attorney’s Report

- Town Attorney, Martha Bradley

There was nothing to report.

J. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

Mayor Caldwell thanked staff for the Public Art fundraiser, Chefs On Fire. Councilmember Freeman reminded everyone of the Helene Recovery Day and Public Safety Day on Saturday. Councilmember Feichter said the merchant social went very well. Mayor Caldwell asked Ms. Teague about the For Sale sign above the Music Men sculpture on Miller Street. She said they spoke with Mr. Davis, the property owner, and Ron Breese. She said the bank asked them to put the signs out. Ms. Teague said they don’t regulate content of temporary signs and usually they permit those signs. However, Ms. Teague explained that hanging banners is not allowed in a historic district. Ms. Teague said that Mr. Davis will move it, but not voluntarily. She emphasized that they should enforce the ordinance. She explained that governments are exempt from the ordinance in the carrying out of their duties, which Council discussed and that schools are a government function and therefore the Tuscola sign should stay. Ms. Teague said they will send a Notice of Violation to the property owner.

K. ADJOURN

A motion was made by Councilmember Sutton, seconded by Councilmember Feichter, to adjourn at 8:56pm. The motion passed unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Candace Poolton, Town Clerk