

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REGULAR MEETING
August 28, 2018

THE WAYNESVILLE BOARD OF ALDERMEN held its regular meeting on Tuesday, August 28, 2018 at 6:30 p.m. in the board room of Town Hall, 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

Mayor Gavin Brown called the meeting to order at 6:30 p.m. with the following members present:

Mayor Gavin Brown
Mayor Pro Tem Gary Caldwell
Alderman Jon Feichter
Alderman LeRoy Roberson

Alderman Julia Freeman was absent.

The following staff members were present:

Rob Hites, Town Manager
Bill Cannon, Town Attorney
Amie Owens, Assistant Town Manager
Eddie Ward, Town Clerk
Byron Hickox, Land Use Administrator
Elizabeth Teague, Development Services Director
Fire Chief Joey Webb
Fire Captain Mike Lentz
David Foster, Public Services Director
Lisa Burnette, Purchasing Manager
Daryl Hannah, Streets and Sanitation Supervisor

The following media representatives were present:

Becky Johnson, the Mountaineer

1. Welcome /Calendar/Announcements

Mayor Brown welcomed everyone to the meeting. From the events calendar, the following were mentioned:

- August 31- September 2nd – Smoky Mountain Folk Festival – Lake Junaluska
- September 3rd – Labor Day
- September 7th – Art After Dark

2. Adoption of Minutes

Alderman LeRoy Roberson made a motion, seconded by Alderman Gary Caldwell, to approve the minutes of the regular August 14th meeting as presented. The motion passed unanimously.

Alderman Gary Caldwell made a motion, seconded by Alderman LeRoy Roberson, to approve the minutes of the August 21st special meeting as presented. The motion carried unanimously.

Recognition of Michael Lentz for promotion to Captain of the Waynesville Fire Department

- Chief Joey Webb

Chief Webb stated that with the retirement of Captain Dee Massey earlier in the month, a captain position became available. He said there were nine firemen who applied for the job, and Michael Lentz was chosen after a strenuous assessment center. Captain Lentz has been with the Waynesville Fire Department for twenty years, and during that time has been an asset to the Fire Department. Captain Lentz was presented with his Captain's helmet, and his Captain's badge was pinned on by his mother.

B. PUBLIC HEARING

3. Public Hearing to consider a text amendment to add two new use categories, Neighborhood Commercial and Neighborhood Restaurant, to the Table of Permitted Uses (2.5.3), to be permitted within seven of the town's nine mixed-use overlay districts

- Byron Hickox, Land Use Administrator

Byron Hickox, Land Development Administration, stated that this Text Amendment was a recommendation from the Planning Board concerning non residential uses in seven of nine overlay districts in Waynesville. He explained that a zoning overlay district is established within an area that is otherwise a general residential district, along a corridor that is usually developed in a non residential pattern. The Land Development Standards describes a Mixed-Use Overlay District as:

"a zoning overlay district established to permit certain limited mixed uses within residential neighborhoods." LDS 2.6.2(A)

The owners of four properties located along Dellwood City Road submitted formal application for map amendment to rezone their properties from Love Lane Neighborhood Residential Mixed-Use Overlay to Russ Avenue Regional Center, which is the highest area of nonresidential use. The Planning Board did not approve this request for map amendment, but the related discussion led to an interest in the creation of additional use categories that might designate retail establishments or restaurants at a scale that would be appropriate to Mixed-Use Overlays.

Based on direction from the Planning Board, planning staff suggested the addition of two new use categories, Neighborhood Commercial and Neighborhood Restaurant, to the Table of Permitted Uses

within seven of the town's nine mixed-use overlay districts. These uses would permit the establishment of general commercial or restaurant uses limited to 3,000 square feet.

Mr. Hickox defined the two new use categories recommended by the Planning Board as follows:

1. That the two new use categories, Neighborhood Commercial and Neighborhood Restaurant, be added to the Table of Permitted Uses (2.5.3), to be permitted with the designation "PL" within the following districts; Dellwood Residential Medium Density, Hazelwood Urban Residential, Love Lane Neighborhood Residential, Ninevah Neighborhood Residential, Raccoon Creek Neighborhood Residential, South Waynesville Residential Medium Density, and Walnut Street Neighborhood Residential; and

2. The two new use categories are defined in Section 17.3 of the Land Development Standards as follows:

Neighborhood Commercial – A place of business limited to 3,000 gross square feet that provides the sale of goods directly to the consumer, with goods available for immediate purchase and removal from the premises by the purchaser.

Neighborhood Restaurant – A place of business limited to 3,000 gross square feet that sells ready-to-eat food and/or beverages for on or off-premise consumption. Customers may be served from an ordering counter (cafeteria or limited service restaurant), at their tables (full-service restaurant), and/or at exclusively pedestrian-oriented facilities that serve from a walk-up ordering counter, but not from drive-thru windows.

Mr. Hickox said there were two districts that the Planning Board did not recommend the two new uses be added are: Francis Cove Residential Low Density, and Mixed Use Overlay in the Main Street Residential District. He added that all setback and buffering requirements would apply to the new district as they currently do.

Town Attorney Bill Cannon opened the Public Hearing at 6:45 pm., and asked if anyone wished to speak.

**Kim Ferguson
Kim's Pharmacy
Waynesville, NC**

Ms. Ferguson stated she felt that the 3,000 gross square feet stipulation was arbitrary, but she was in full support of the two new zoning districts.

Mr. Hickox explained that a survey of the mixed use districts to gather some of the non residential uses currently there was conducted. This included square footage, and the number seemed to hover around 3,000 square feet. He said the Planning Board discussed several other numbers for square footage and decided on 3,000.

Town Attorney Bill Cannon closed the Public Hearing at 6:48 pm.

The Mayor asked each Board member to give their thoughts on the proposed text amendment, and all were in full agreement.

Alderman Jon Feichter made a motion, seconded by Alderman LeRoy Roberson to adopt the following statement:

The proposed text amendment is approved and is consistent with the “Waynesville: Our Heritage, Our Future, The Town of Waynesville 2020 Land Development Plan” in that the amendment will:

- ***“Designate appropriate amounts of land to reflect desired development patterns and to accommodate the projected residential, commercial, industrial, institutional and recreational needs of the Town of Waynesville over the next twenty years.”***
- ***“Promote infill development in the Town of Waynesville as an alternative to continued outward expansion.”***
- ***“Work to preserve the important character and scale of each unique area within the larger Waynesville community by building on those elements identified as important to defining each area.”***
- ***Allows Waynesville to maintain its walkability.***

Approval of the proposed text amendment is reasonable and in the public interest because it:

- ***Improves the character of the Town of Waynesville and provides expanded opportunities for economic development by providing additional commercial uses available for inclusion into mixed use overlay districts; and***
- ***Will provide for and promote re-use of existing commercial sites and infill development along existing transportation corridors.***

The motion carried unanimously.

A motion was made by Alderman Caldwell, seconded by Alderman Jon Feichter, to adopt Ordinance No. 0-14-18 amending the text of the Town of Waynesville Land Development Standards adding the new Neighborhood Commercial and Neighborhood Restaurant uses as presented. The motion carried unanimously.

C. NEW BUSINESS

4. Award Purchase of One (1) Rear Loading Refuse Truck for Public Services Street Division through NCSA (North Carolina Sheriff's Association)

- Lisa Burnett, Purchasing Supervisor,
- David Foster, Public Services Director
- Daryl Hannah, Street Superintendent

Ms. Lisa Burnett, Purchasing Supervisor, stated that a new trash truck had been budgeted in the 2019 Capital Budget for \$160,000.00. She said that as provided by NCGS § 143-129 (e) (3) there exists an

exception to the state's formal bidding requirements, which allows NC municipalities to participate in qualified group purchasing programs (of which NCSA is one) in an arrangement similar to that offered under state contract or interlocal piggy-back bidding.

The NCSA is a nonprofit organization formed in 1922. The NCSA engages in a bidding process which meets all requirements of NC General Statutes. Upon the award by NCSA of a group purchasing contract, the terms of that purchase can then be made available to local governments without further bidding requirements on the part of the local government. Local governments achieve a lower cost of purchase due to the economics of scale which otherwise would likely not be available to a single local government operating unilaterally.

It is the intent of our Public Services and Purchasing staff to purchase through NCSA one (1) New Way Viper 20 cubic yard refuse body mounted on a new 2019 International HV607 SBA for \$147,914.73.

Alderman Jon Feichter made a motion, seconded by Alderman LeRoy Roberson to approve the purchase of one (1) New Way Rear Loading Refuse Truck from Amick Equipment, Lexington, SC through NCSA contract as presented. The motion carried unanimously.

D. COMMUNICATIONS FROM STAFF

6. Manager's Report –Town Manager Rob Hites

Manager Hites told the Board that the groundbreaking ceremony for the new hotel will be held on September 4th from 1:00 – 2:00pm, and lunch will be provided.

7. Attorney's Report – Town Attorney Bill Cannon

Attorney Cannon had nothing to report

E. CALL ON THE AUDIENCE

F. COMMUNICATION FROM THE MAYOR AND BOARD

8. Communication from the Board

South Main Street Planning

Alderman LeRoy Roberson noted that there is a summary of the South Main Street plan by the NCDOT available to the public. Mayor Brown added that as part of this planning, public input is required. Meetings were held by the NCDOT at Haywood Community College. Even though the public comment period ends on August 31, in an effort to provide citizens another opportunity to participate, the Board of Aldermen will hold a public comment session as part of the regular meeting on September 25, 2018. Information from the meeting will be forwarded to the NCDOT.

Big Cove Water Tank

Mayor Brown continued by noting that there had been a request for proposals (RFP) for the repair of the roof of a 2 million gallon water tank on Big Cove Road. There was only one bid received. Rather than award the bid at this time, the Board directed staff to re-post the RFP in an effort to solicit multiple bids. If no additional bids are received, information will be brought back to the Board for review and approval at a later date.

G. ADJOURN

There being no further business to discuss, Alderman Jon Feichter made a motion, seconded by Alderman Gary Caldwell to adjourn the meeting at 7:11 p.m. The motion carried unanimously.

ATTEST:

Gavin A. Brown, Mayor

Robert W. Hites, Jr., Town Manager

Eddie Ward, Town Clerk