



Town of Waynesville, NC - Board of Aldermen – Regular Meeting

Town Hall, 9 South Main Street, Waynesville, NC 28786

Date: **March 28, 2017**

Time: **6:30 p.m.**

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(828) 452-2491 aowens@waynesvillenc.gov

A. CALL TO ORDER - Mayor Gavin Brown

1. Welcome/Calendar/Announcements
2. Adoption of Minutes

Motion: To approve the minutes of the February 24, 2017 special called meeting (Board Retreat) and the minutes of the February 28, 2017 regular meeting, as presented [or as corrected].

B. PRESENTATION

3. Presentation of Awards by Waynesville Police Department
 - Police Chief Bill Hollingsed
4. Request from Folkmoot regarding Capital Contribution
 - Bill Cole, President – Folkmoot Board
5. Request from the Haywood Chamber of Commerce funding request
 - CeCe Hipps, President – Haywood Chamber of Commerce

C. CALL FOR PUBLIC HEARING

6. Call for Public Hearing to consider a voluntary annexation request by Thomas and Susan Knapko in order to receive municipal services
 - Amie Owens, Assistant Town Manager/Town Clerk

Motion: To call for Public Hearing to be held on Tuesday, March 28, 2017 at 6:30 p.m. or as closely thereafter as possible in the Board Room of Town Hall located at 9 South Main Street, Waynesville to consider the request for voluntary annexation from Thomas and Susan Knapko for PIN 8626-04-9887 at 246 Woods Edge Road to receive municipal services.

TOWN OF WAYNESVILLE – REGULAR SESSION AGENDA

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D. PUBLIC HEARING

7. Public Hearing to consider a staff and Planning Board initiated text amendment to the Town of Waynesville Ordinances regarding temporary signage, Land Development Standards Section 11.5.12.

- Elizabeth Teague, Development Services Director

1. **Motion:** *to find the text amendment consistent with the 2020 Comprehensive Land Development Plan.*
2. **Motion:** *to approve (or not approve, or approve with changes) proposed amendments to the Town of Waynesville Ordinances regarding temporary signage, Land Development Standards Section 11.5.12.*

E. NEW BUSINESS

8. Request approval of the purchase of new Christmas decorations (grapevine balls) for trees on Main Street during the holiday season

- David Foster, Public Services Director
- Buffy Phillips, Director, Downtown Waynesville Association

Motion: *To approve the purchase of new Christmas decorations (115 grapevine balls) for trees on Main Street for the holiday season, as presented.*

9. Request approval of the design for the Hazelwood Parking Area

- David Foster, Public Services Director
- Preston Gregg, Town Engineer

Motion: *To approve the design for the Hazelwood Parking Area including location of restroom facilities, exterior finish details and construction phasing per board recommendation.*

F. COMMUNICATIONS FROM STAFF

10. Manager's Report –Town Manager Rob Hites

11. Attorney's Report – Town Attorney Woody Griffin

G. COMMUNICATIONS FROM THE MAYOR AND BOARD

H. CALL ON THE AUDIENCE

I. ADJOURN



TOWN OF WAYNESVILLE

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CALENDAR March 28, 2017

2017	
Tues, March 28 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Wed, March 29 Raleigh, NC	Town Hall Day – NC Legislature
Tues, April 11 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Fri, April 14	Good Friday Town Offices Closed
Mon, April 24 5:30 PM Location TBA	Haywood County Council of Governments (COG) Meeting Town of Clyde Hosting
Tues, April 25 11:30 AM Inn at Tranquility Farm	Garden Party Luncheon & Fashion Show to benefit REACH
Tues, April 25 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Tues, May 9 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Thur, May 11 5:00 PM Tuscola HS Auditorium	Tuscola AFJROTC Annual Awards Ceremony
Tues, May 23 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Mon, May 29	Memorial Day Town Offices Closed
Tues, June 13 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Mon, June 26 5:30 PM Location TBA	Haywood County Council of Governments (COG) Meeting Haywood County Hosting
Tues, June 27 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session

Tue, July 4	Independence Day Town Offices Closed
Tues, July 11 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Tues, July 25 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Tues, Aug 8 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Tues, Aug 22 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Mon, Aug 28 5:30 PM Location TBA	Haywood County Council of Governments (COG) Meeting Town of Maggie Valley Hosting
Mon, Sept 4	Labor Day Town Offices Closed
Tues, Sept 12 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Tues, Sept 26 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Tues, Oct 10 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Mon, Oct 23 5:30 PM Location TBA	Haywood County Council of Governments (COG) Meeting Town of Waynesville Hosting
Tues, Oct 24 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Fri, Nov 10	Veteran's Day Town Offices Closed
Tues, Nov 14 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Thur & Fri, Nov 23-24	Thanksgiving Town Offices Closed
Tues, Dec 12 6:30 PM Town Hall Board Room	Board of Aldermen Meeting – Regular Session
Mon – Wed, Dec 25-27	Christmas Town Offices Closed

Board and Commission Meetings – April 2017

ABC Board	ABC Office – 52 Dayco Drive	April 18 3 rd Tuesdays 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	April 4 1 st Tuesdays 5:30 PM
Downtown Waynesville Association	UCB Board Room – 165 North Main	April 27 4 th Thursdays 12 Noon
Firefighters Relief Fund Board	Fire Station 1 – 1022 N. Main Street	Meets as needed; <i>No meeting currently scheduled</i>
Historic Preservation Commission	Town Hall – 9 S. Main Street	April 5 1 st Wednesdays 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	April 17 3 rd Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	April 13 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	April 19 3 rd Wednesdays 5:30 PM
Waynesville Housing Authority	Waynesville Towers – 65 Church Street	April 19 3 rd Wednesdays 3:30 PM

BOARD/STAFF SCHEDULE

Mon – Fri, April 24 – 28, 2017	Assistant Town Manager	Municipal and County Administration Course Chapel Hill, NC
Mon – Fri., May 8 – 12	Administrative Assistant	IIMC Clerks Certification Course – week 2 Chapel Hill, NC
Mon- Thurs, August 28-31	Administrative Assistant	IIMC Clerks Certification Course – week 3 Chapel Hill, NC
Mon-Fri., October 23-27	Administrative Assistant	IIMC Clerks Certification Course – week 4 Chapel Hill, NC

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
SPECIAL MEETING – BOARD RETREAT
February 24, 2017

THE WAYNESVILLE BOARD OF ALDERMEN held a special meeting on Friday, February 24, 2017 at 8:30 a.m. at Wells Events Center located at 248 North Main Street, Waynesville, NC.

A. CALL TO ORDER

Mayor Gavin Brown called the meeting to order at 8:30 a.m. with the following members present:

Mayor Gavin Brown
Alderman Gary Caldwell
Alderman Jon Feichter
Alderman Julia Freeman
Alderman LeRoy Roberson

The following staff members were present:

Rob Hites, Town Manager
Amie Owens, Assistant Town Manager
Phyllis Rogers, Retired Town Clerk
Rhett Langston, Parks and Recreation Director
Eddie Caldwell, Finance Director
Police Chief Bill Hollingsed
Public Works Director David Foster
Elizabeth Teague, Development Services Director
Joey Webb, Fire Chief
Jesse Fowler, Development Services Intern

The following media representatives were present:

Allison Richmond, The Mountaineer
Cory Vaillancourt, Smoky Mountain News

Call to Order and Introduction of Retreat

Mayor Brown called the special meeting retreat to order at 8:30 a.m. and welcomed everyone to “Waynesville 101”, an opportunity to spend time finding out where Waynesville is at the present time, allowing an exchange of ideas and discussion. Mayor Brown added that this is also a time to create the town we want to live in and make the public proud. He constantly hears comments about what a nice town we have and gives him a sense of civic pride.

Comments by Board of Aldermen

Mayor Brown asked Board Members for their thoughts and ideas.

Alderman Feichter mentioned the possible Grant for the West Waynesville end process of bringing Broadband to that area, adding that he met yesterday with Town Manager Rob Hites and Land of Sky Regional Council, and together they drew a map of where they would like to see this broadband network. Waynesville is in a prime position because they are the only municipality in Haywood County that owns our own utility poles. RFIs can be sent to all the potential providers that could essentially do the build-up. This is moving on rapidly and Land of Sky is doing a good job. Mayor Brown mentioned a bill that has been introduced and could possibly be amended to add Tier 3 Counties. At the present time it only allows Tier 1 and 2 Counties to have broadband. Haywood County is a Tier 3 County.

Alderman Caldwell said he would like to see Frog Level parking improved by paving. David Foster and Preston Gregg have been studying this issue and looking for resolutions with the drainage issues which would need to be coordinated with the Railroad. The Frog Level area is flat, making it difficult to deal with drainage. Alderman Caldwell has a meeting scheduled with a representative with the Railroad, adding that he would like to see this worked out by the time the “Whole Blooming Thing” Festival occurs in May. Alderman Caldwell added that street lights with underground electricity would be wonderful to have in the Hazelwood area, especially after the parking lot improvements are made in that area.

Alderman Roberson said the water utilization plan is one of the issues of importance to him. After the drought and Waynesville’s lack of availability of water to adjoining towns, especially if fire issues occur, it is important to address this issue. At the present time Waynesville cannot get water to Canton, but there is a connection to Maggie Valley. Town Manager Rob Hites said this was discussed at the Haywood County Council of Governments Meeting. One issue is catastrophic fire and the other is drought. Waynesville has never tested the Maggie Valley interconnection. They know it works but if opened up to serve Maggie Valley, other areas could suffer with lack of water pressure. David Foster said this will need further study and may be tested before tourist season. Alderman Roberson added that Waynesville does not have an unlimited supply of water. The other issue of importance is the Wastewater Treatment Plant. The third issue is paving, especially on Pigeon Street, where NCDOT is hesitant to repave because of Waynesville’s utilities in the roadway. David Foster said if Waynesville readjusts their utilities NCDOT would be willing to repave the road. A project may be submitted next year for this project.

Financial Update - Finance Director Eddie Caldwell

A mid-year budget report was presented for July 1, 2016 through December 31, 2016, showing a one year prior comparison and two year prior comparison. Mr. Caldwell said Property Tax, Sales Tax and Franchise Tax are the three revenue sources that account for 70 – 75% of revenues. Franchise fees include telephone, electricity and cell phone bills. Revenues are 49.5% of what we should expect. The State took away the privilege license tax revenue which took several thousand dollars away from Waynesville Board of Aldermen Minutes

Waynesville. Waynesville does not want to use its available fund balance. If revenues come in as expected we will be using some fund balance in an amount between \$200,000 - \$300,000. In the Enterprise Funds we only have about 5 months of revenue because usage is billed the following month. Revenues are ahead of the budgeted amount. No capacity fees are being charged at the present time because of a court case that capacity fees are illegal. Tap fees only cover connection. Capacity fees determine what the debt service and the cost per gallon will be. Town staff believes that Waynesville's fee was properly charged and the court case is based on future usage of the Wastewater Plant. Waynesville did not do that; it only charged for what the usage would be at time of connection. Mr. Caldwell will be approaching the Board with a budget amendment for \$85,000 to cover needed filter improvements at the Water Treatment Plant. The Sewer Fund revenues are running ahead of schedule. The Wastewater Treatment Plant has recently experienced a lot of repairs and maintenance. The Electric Fund revenues are as expected. Most revenue comes from cold winter months and this has not occurred this year, but it is still too early to predict. Power purchases are up because of higher power charges and professional services. In Public Works the public facilities and ground has increased because of the Hazelwood Parking lot improvements. In Garage the funds increased due to fuel costs. Tax collections were down slightly but this could have been because of the fact that the last date in December fell on a weekend.

Waynesville's fund balance is where it should be, but not exceptional. The fund balance dropped to 37.67% in 2014 but it is back up and sound. Assets are 12.5 million at the present time, but this should always be looked at by funds and each fund should be able to stand on its own. A certain amount of funds should always be on hand to take advantage of emergencies and opportunities. 41% of the budget is in cash and investments. In 1992 when Eddie Caldwell became Finance Director the cash and investments were slightly over 4 million and they are now more than 12 million. Recovery from the Great Recession has been slow and property values have also seen slow growth. Before the Great Recession (10 years prior – 1997-2007) growth was 7.22% and after growth was at 1.22% (2007-2017). During the decade when growth was good Waynesville replenished its cash balance and paid one million dollars on the Recreation Center. Compound annual growth rates show very slow growth with low compound annual growth rates. Eddie Caldwell said signs of improved growth are seen for the future but he is not sure if we will ever be back to where we were. Motor vehicle strength growth has improved. Rob Hites said there is an increased interest in development, but there is a lack of available land for development since raw land is so expensive in this area. Eddie Caldwell said Waynesville has a lot of needs with 37 million dollars in capital improvements expected over the next 10 years, which will be a challenge. Operational expenses are expected to grow 2% and wages may grow more than that. Wages have been stagnant for the past several years. Mayor Brown one of the ways of growing is physical growing through annexation. Waynesville's population is currently at 10,000. With 1.1-1.2 billion dollars worth of property values Waynesville gets slightly over 1 million dollars with a 1 cent tax increase. Any cost of living increases will need to come from another source; the last tax increase only covered the additional firemen that were added. Eddie Caldwell is always very conservative in his budgeting. His philosophy is always to leave Waynesville in better condition than it was found.

Town Manager Rob Hites said this is the first town he has managed that he hasn't had someone stop him and tell him what is wrong with the town. Comments are always positive. Mr. Hites said every Finance Director and Town Manager have learned rules in budgeting and financing, including spending from operating budget should be funded by current revenues –not savings. There is a law that each city should have 1/12 (1 month) operating expenses. The State recommends a minimum of 20% of operating expenses be reserved in fund balance for working capital & catastrophic events such as ice storms. Finance Director Eddie Caldwell recommends 25%. Always keep in mind your tax base, tax rate, collection rate and that 1 cent on the tax rate equals \$114,077. Salary markers include 1% increase in General Fund Salaries equals \$60,592 and 1% COLA equals almost \$200,000. Every project in Waynesville's capital improvements plan is good – there is no "fluff". Waynesville's revenue growth is expected to be around \$125,000 per year. If the Career Track continues as it is now, Waynesville will be spending \$300,000 in expenditures without adequate growth. The debt service will improve \$450,000 next year when Waynesville's Recreation Center will be paid off. Positive cash flow is not expected at the rate we are going until 2019/2020. Fund balance can be spent very quickly and cannot be the answer for all our capital needs. Combining the highest priority capital projects and putting them in a bond referendum may be the only way Waynesville can complete serious projects over the next decade. They are going to make sure the budget is balanced and may need to change the way of thinking that fund balance can be used for funding projects. Mr. Hites explained the General Obligation Bonds process. Bond attorneys and financial advisors work together with the Board and the Local Government Commission during this process, explaining that a notice of intent is filed through the Board, a public hearing is held, and the bond order is issued and sent to the Local Government Commission. If an election is necessary a date is set and a cost will be assessed to add the bond issue to the election ballot. Mayor Brown added that typically a bond payment period is 30-40 years. Manager Hites said a shorter payback period normally gets a lower interest rate. Mayor Brown said the financial situation is not all gloom; Waynesville is in a good financial position, but we must make a careful assessment on how projects can be paid for. Mayor Brown explained that the bond issue was brought up just to give the Board an idea of an option to look at.

Updates of Programs Discussed in Prior Retreats

Commercial Overhead Waste Pick Up

David Foster gave a background review of commercial containers. In 2015 based on successive revenue losses, Public Services recommended that the Town reduce collection fee rates by 25%. From revenue history since changes were made in 2008 the rates have now stabilized. He presented costs of container business including labor, equipment, support costs and tipping fees with costs to operate the program totaling \$150,930.72. Haywood County charges a fixed rate to dispose of solid waste. Net profit of \$164,961.00. Gross profit \$231,878.52. Revenues seem to be stabilizing; equipment still has service life; FY 17 gross profit is projected at \$231,878.52; track and report costs and profit margins annually; reconsider program feasibility.

Alderman Feichter asked about the blue bag recycling program. This is something that Waynesville is currently looking at with the seven different routes. Mayor Brown spent time looking at commercial dumpster and feels that Waynesville has a very low rate with most of the commercial dumpsters serviced by the private sector. There is a question whether Waynesville should even be in this business and it is not known whether Waynesville is even competitive. Glass and cardboard collection is required and Waynesville is not involved with either of these businesses. Manager Hites said Waynesville is not losing any money by providing this service. Manager Hites felt that the type of residential and small commercial service provided is far behind what is provided in other parts of the State. More injuries happen in Sanitation because of low back injuries and most cities use roll-out garbage containers that are picked up by trucks. Hydraulic lifts on smaller trucks could be used in steeper areas. When people leave old beat up cans out all week it makes Waynesville look trashy. It is recommended that 95 gallon roll out containers be used. Waynesville may want to consider getting out of the large overhead commercial container pickup, sell the equipment and trucks used in this process and use the money to improve the residential pickup. This process could also be used in recycling with recycling pickup every other week. David Foster said it is recommended that we get out of the commercial overhead waste pickup over the next 3 – 4 years. Contracts would be between the private contractor and the customer. Eddie Caldwell pointed out that we are currently making one cent on the tax rate profit on commercial overhead waste pickup. This would be lost when we are no longer in the business.

In-House Utility Construction Crew

Prior to 2015 the Town annually budgeted an average of \$629,000 in water/sewer capital expenses. The capital work was completed via contracted construction. The actual costs were around one half million dollars. The Town provided materials and other support. At its 2015 Retreat the Town Board authorized creating an internal Capital Construction Crew. Four employees were hired and equipment was purchased. The annual cost of the new program is \$300,878.85. 7,630 linear feet of water and sewer lines have been installed at a linear foot cost of \$32.10 with this crew. Over 15 years the difference is \$112,644. The savings for Waynesville is \$14.76 per linear foot. The pros were that local jobs were added, flexibility was added since crews can also work on other jobs and utility fund balance was preserved and expanded. Even with added fringe benefits the Town received significant savings. Improved communication is still needed between customers and the Town since the desire of the crew to complete the work sometimes outpaced communication with the customers. Mayor Brown expressed concern with the time involved in projects, causing dissatisfaction with the customer. This could be due to inefficient supervising. David Foster said this method is more economically feasible, but the process does take longer. The example used was the Killian Street project, which is currently underway and has been for several months.

UTEC Contract Status Update

David Foster gave background information. Prior to 2015 the Town contracted Booth and Associates and Nova Energy Consultants to assist with electrical engineering in its electric utility system. In 2015 the Waynesville Town Board approved UTEC to negotiate and begin a process to enter into contract

with Santee Cooper as the Town's electricity supplier. System constraints by Duke Energy delayed the transition to Santee Cooper as the Town's electric Supplier, which postponed activation by one year to January 1, 2017 and necessitated UTEC negotiating a new one year deal with Duke. There were some unforeseen transitional tasks including transmission challenges and new agreement with Duke. Waynesville's SEPA authorization rolled regionally with Haywood EMC, French Broad and others. A considerable portion of the UTEC contract was utility location and GIS mapping. The electric mapping is now complete. Water and sewer proved considerably more difficult to locate and were found to be underestimated and underfunded. 13 of the original 21 tasks assigned to UTEC are mostly completed. Four tasks are started but still below 50% completed. All tasks are slated to be completed by June 30, 2017. Water and Sewer GIS mapping is the largest remaining task.

Recommendations:

Board assigned UTEC two tasks:

- Transition Waynesville to Santee Cooper power
- Bring Town's electric program into compliance with modern acceptable practices and standards
- Direct UTEC to complete all remaining tasks on original agreement with Town Manager by June 30, 2017.
- UTEC will serve as Town's agent to monitor and administer the peak shaving generation obligation for the duration of the Santee Cooper agreement.
- Scale any remaining UTEC assignments to how Waynesville has historically completed the tasks (NERC/SERC, SEPA, etc.) like with Nova and Booth.
-

Manager Hites said a company is needed that has the software and weather devices in South Carolina that tells us when Santee Cooper goes on demand. If we cancelled the contract with UTEC we would still have to hire another company to help us locate our meters and other information. This information was needed 20 years ago. There was discussion regarding Peak Shaving Generation, solar and how logistics would be needed to determine how renewable energy works. Manager Hites said this is where an electrical engineer would be brought in to do an analysis.

Allens Creek Sewer Project

David Foster presented the update. Town staff, Haywood County Health Department and Haywood Waterways all received complaints/requests for sewer issues in the Allens Creek community. Following a staff report and Board presentation in 2016, the Town Board directed staff to commission a preliminary report. The data still needs staff confirmation and formal review that parameters met the Town's intention. McGill projects that approximately 5.0 miles of sewer line will need to be installed or replaced. Preliminary data shows that these new lines could connect up to 169 new sewer customers. McGill preliminarily identified five potential funding sources, plus an additional potential funding option for the plant upgrades. The Allens Creek sewer is in need of repair and upgrade in advance of a wholesale upgrade to accommodate an influx of new connections from private new customers and a

Town connection. \$11.15 million is more expensive than originally anticipated and prohibitively expensive for the Town to take on in and of itself. 168 potential new residential customers would be an insignificant amount of revenue in comparison to the cost of the project. Payback would be in excess of 150 years if all customers signed on immediately. The environmental impact and customer concerns would still exist and needs to be addressed.

Recommendations are that the Town back off as lead agency on the project. Staff should be directed to meet with original partners and requestors to engage other partners as the lead agency. The Town can come back in as a partner when the design and construction funding are closer to reality. Partners could solicit grant application with the Town as co-applicant for the design.

Manager Hites said if this is declared a health crisis by Haywood County, we could go to the Environmental Agency to provide a grant to that community. Emergency monies are available through the Clean Water Management Fund.

Recreation Master Plan

Rhett Langston, Parks and Recreation Director, said the Recreation Master Plan was very well received by the public with a total overall cost of ten million dollars. Mr. Langston listed twenty-two items which were ranked by the Advisory Commission and Supervisors from most needed to least needed, and broken down into cost estimates. Recreation Park Restrooms were ranked as most needed. The items were divided into categories. Also presented were photos of what Waynesville currently has and photos of proposed changes, including restrooms in various areas, softball fields, basketball court, skate park (with lighting added) and tennis courts. Mr. Langston suggested fund raising group to seek out grants and other available monies for the projects, which could be done yearly according to priority.

Alderman Feichter asked about grant possibilities. Mr. Langston explained PARTF Grant possibilities, adding that Recreation Center additions would be a difficult sale. The PARTF Grant would be matched 50/50 by the Town. Alderman Caldwell asked about approaching Kiwanis or the Rotary Club about upgrading the outdoor Recreation Park. Mr. Langston said many people just want green space. A lot of the work could possibly be done "in house" saving money for the projects.

Mayor Brown said three of the top six most needed items are restrooms which probably affect more people than any other item. Mr. Langston said complaints are received by people about port-a-johns. Alderman Roberson asked about maintenance of the restrooms and vandalism. Mr. Langston said making restrooms ADA accessible is a priority and installing stainless steel toilets and similar items should be considered. David Foster said a portable restroom is very difficult to maintain. Alderman Feichter asked if the potential income revenue has been looked at for items such as the splash pad. Mr. Langston said the splash pad is one of the most popular items across the Country, requiring little staffing and maintenance. Mr. Langston said many requests have been received, especially from women, for a place to sunbathe. Seniors want to see a therapy pool where the water temperature is warmer; swimmers want to see a pool with cooler water. Alderman Feichter added that this is a cost that the

Town would have to absorb initially, but there is revenue that would be generated. Alderman Roberson said Recreation Departments are never a profit item, but asked how much operating costs are versus revenue gains. Finance Director Eddie Caldwell pointed out that the debt payment would be paid off next year. Mr. Langston said the therapy pool would not be an added expense for those persons that have a Recreation Pass. January 2017 finishes approximately 3,000 more visits than expected. Free personal training is offered and Staff is continuously adding programs. This year they will accept 92 summer campers and approximately 60 people have expressed interest. Finance Director Eddie Caldwell said the Town is currently subsidizing the Recreation Department budget at 1.5 million after subtracting revenue generated. Mr. Langston said a survey revealed that people are willing to pay higher fees for Recreation which would generate additional revenue. Mayor Brown pointed out that improvements to Chestnut Park, Sulphur Springs Park, East Street Park and possibly Pigeon Street do not add additional revenue, but add community improvements. Mr. Langston said Waynesville's parks are heavily used. Alderman Caldwell suggested the possibility of a larger restroom centrally located that could be accessed by several of the park areas such as the skate park, dog park, etc. Mr. Langston said this would be a possibility. Alderman Roberson said several people have approached him about adding pickle ball courts. There seems to be a need for sports that people travel to such as disc golf and skate parks. There is also an increasing market for seniors. Mayor Brown said it is important to develop strategies and find creative ways to make this work.

Mayor Brown said if the Master Plan is the way to approach the needs of Waynesville and Haywood County the Board needs to figure out how to pay for it. Alderman Roberson said this is an excellent plan and he is in favor of it, but he would not vote to fund it at this time, but would vote for the plan.

Alderman Roberson made a motion, seconded by Alderman Caldwell, to approve the Recreation Master Plan as presented, conditioned upon finding satisfactory funding for the projects. The motion carried unanimously.

Alderman Roberson amended the original motion to add pickle ball courts to the Recreation Master Plan, seconded by Alderman Caldwell. The motion carried unanimously.

Mayor Brown added that he would like to have town staff develop a proposal on how to fund these projects.

Presentation of Departmental Priorities

Development Services

Development Services Director Elizabeth Teague introduced Jesse Fowler, Development Services Department Intern, MPA Program at WNC. There are several departments in Development Services, including building inspections. Their first priority is the update of the 2020 Comprehensive Plan, a Twenty Year Plan adopted in 2002. This is a very good plan which is essential for laying out future plans, goals and objectives for a community. By State Statute we are required to have such a plan and need to

make sure we have consistency with such a plan. The plan is now 17 years old and it is time to begin thinking about updating the plan. Development patterns have changed since its adoption and there are a couple of large areas, particularly Howell Mill Road that could be developed. There are some elderly people that have expressed interest in selling their properties. The part of Howell Mill Road has been identified as a higher density area for development (from Russ Avenue to the Recreation Center). Another area of interest is Hazelwood, essentially a former mill town, with its mixed use and its own identity. This area has a lot of potential for redevelopment. Hazelwood looks a lot like what West Asheville did a few years ago. Another area is the South Main Street area and we are hearing a lot of real estate interest along this corridor. Housing, in its relationship with economic development, is another important issue. We are not seeing the development as it was prior to the recession. We are losing younger families and becoming a destination for retirees. Reasonably priced affordable housing can be used as a tool for economic development. 600 residential properties are currently for sale in Haywood County, with many being high end residential units. We are lacking in a lot of rentals. This is a good time to have a conversation of what the next twenty years look like. A policy was developed that annexation was required in order to get sewer services. In looking at the edges of Town what should those policies be and should we change our policy. Ms. Teague said it is time to update the plan currently in place. The Planning Board has some thoughts on it. Costs for updating can vary, but \$30,000 - \$50,000 is an estimate that can be spread out over a number of years. It is helpful to have a neutral third party to have an objective set of eyes and communicate with the public so that staff is not the gatekeeper as to how things are viewed. The Planning Department is pretty small shop and it would be difficult to take this project on. It would be helpful to have another set of people to take this on, conduct public meetings, surveys, etc. In 2020 – 2026 you will see some major changes in several corridors. Brown Avenue in front of the Waynesville Middle School and also in front of the Ingles will be changed.

The Waynesville Greenway Plan was presented to the Board. The packet included the 2010 Pedestrian Plan. The two areas that need to be developed include the area from the Hazelwood Park to Boyd Avenue (missing two pieces of property to connect) and the area from the Recreation Park to Frog Level. When the bridge over Russ Avenue is replaced they will be required to accommodate the Greenway. Mayor Brown said CeCe Hipps with the Haywood County Chamber of Commerce has stressed to him many times that one of the ways to attract residents to an area is to have a Greenway. There was some discussion regarding needed easements in the Frog Level area. Mayor Brown added that we do not want to see areas along the Greenway that become problem areas. Elizabeth Teague and Rob Hites added that once areas are developed it usually discourages those unwanted elements. Development also allows removal of unwanted species, addressing erosion issues and meeting environmental goals to preserve areas such as Richland Creek. There are some funding opportunities available through MPO and non profits. Manager Hites said T-21 Grant monies are available and can be used for Greenways.

Ms. Teague said the department has been proactive in code compliance. This seems to be very important in keeping property values, but it is time consuming, takes staff time and involves legal fees. It could take years to recover monies when liens are placed on properties.

Mayor Brown said it is a pleasure to have Ms. Teague working in Development Services and making this department more business friendly.

Administration/HR/IT

Assistant Town Manager Amie Owens said Waynesville currently has 178 full time employees and 100 part time employees. The Human Resource Department is tasked with maintaining a good employee pool and recruiting new employees. Approximately 25 percent of employees in the next ten to fifteen years will be lost to retirement also resulting in the loss of institutional knowledge. It costs less to invest in training than to hire someone in at a higher salary. From the health insurance and benefits medical loss ratio was climbing but they did receive better news that it is now coming down and leveling out. An increase will probably be seen but may not be as significant as originally thought, with a seven percent increase anticipated. Waynesville does not have the chronic disease state condition issues that some others may see which helps keep costs lower. Another plus is that the Town does have a very active Wellness Program and all employees are encouraged to participate.

The telephone system was last updated with new telephones organization-wide in 2008/2009. The existing telephones are at least 10 years behind current technology and need to be upgraded. A secondary 911 system and the ability to make payments online for Finance and Recreation are other areas to look at. The VC3 Contract does not expire until 2018 and if it is decided that another service would be beneficial an RFQ will be developed to find someone that can handle all the things currently handled by VC3.

Mayor Brown asked how the safety of our employees is behind handled, especially after the incident that happened recently. Ms. Owens said there are mandatory training opportunities that are made available each year through the N. C. League of Municipalities. These were being done prior to this incident and have now all been completed. Tom McGuire will be taking over as Compliance Officer to make sure that all employees have completed requisite training before being present on work sites. Manager Hites said you will find that even though employees had received training, the employees were sometimes not doing what they were supposed to do. Someone will now be available to make sure employees are doing what they are supposed to on job sites. Mayor Brown said he is not being critical of employees, but stressing that they should do what they are supposed to. Alderman Feichter said he heard that a new CEO was hired for a company and his first speech was about reducing employee injuries to zero. He added that part of making this work is that someone is in a position to be able to say employees can't perform a job if they enter it without wearing the proper equipment, etc. He asked as a Board Member what he could say if he witnesses such a violation. Ms. Owens said training is available for anyone, including Board Members that would like to take it. Mayor Brown said all Board Members and the community as a whole want to make sure that we have a safe working environment and that the proper equipment needed for each job is being used.

Fire Department

Fire Chief Joey Webb distributed a list of department goals that developed a strategic plan. A lot of that has been met and they want to reassess the plan and keep it a working document. The Fire Department goal is to provide citizens with the best service possible, provide professional training and keep safety first. The new firefighters are all on board now and it is making a difference. Succession planning allows employees to progress in the Fire Department. Chief Webb spoke about training opportunities and those firemen that attended. Another goal is to work with Haywood County in establishing fire tax districts. This work began in 2006. Chief Webb and Manager Hites have been looking for properties for locations for the replacement of Station II. Another goal is to replace vehicles outlined in the Capital Improvements Plan. The tanker truck is 25 years old this year. The ladder truck is a 1994 model and replacement cost is roughly one million dollars. The backup engine is a 1998 model. A rescue truck has been added. Other projects include hydrant testing and the ability to exchange information between departments. Continuous improvement in communication between the Fire Departments and other emergency departments in Haywood County continue to be looked at. As firefighters are added additional room will be needed for employees and equipment.

Mayor Brown congratulated Chief Webb again on being named Fire Chief of the Year in WNC and the State of North Carolina.

Finance

Finance Director Eddie Caldwell said his department has a couple of ten year old trucks used in meter reading that are in need of replacement. The biggest priority is for additional staffing, including a staff accountant and new customer service representative. Cross training is currently being done and it would be nice to have additional training. There are currently three customer service representatives and it is very difficult to complete cross training without additional staff. With the work flow, transactions, etc., it is difficult to add credit card payments and other functions to an already overburdened staff. It is also important that everything is in order and done as it should be in accordance with financial requirements.

Hand held meter reading devices are in need of replacement due to age and wear. It is becoming difficult to find water meters that are hidden under landscaping since these meters are read with the hand held meter reading device.

Police

Police Chief Hollingsed said the drug issue in Waynesville continues to be a problem with danger. A needle disposal box is available at the Police Department and approximately 400 MedSafes have been distributed. A contact is provided for those people to receive treatment and get away from the drugs they overdosed on. They have been notified that they may be the recipient of a grant from the L.E.A.D. Program. When an arrest is made for crimes due to addiction they are able to divert those people

arrested to a treatment program. Legislative goals include Mandatory use of North Carolina's controlled substance reporting system, strengthen protections against Opioid abuse, "Real-Time" Database, amend statute to allow local narcotics investigators to have access to Database, increase penalty for substitution/dilution of Rx medication by Health Provider, eliminate ILAC accreditation, synthetic drug bill, Western Crime Lab Expansion and require recipient of controlled substances to produce a Government Issued Identification Card.

The Repeat Offender Program helps identify those repeat offenders and charge them with habitual offender status. Letters to representatives are being written to help schedule court dates and. Body cameras are included in the capital request for this year. There is still some question about what the legislature might do to change this law. They have found that the cameras help in court rather than hurt a case. Servers would need to be purchased for storage and would be less expensive to store in house.

Communications include 26,000 calls for service dispatched with 80,000 phone calls received per year. Two additional dispatchers would provide additional service to police officers. They are working with staff to qualify as a Secondary PSAP (Public Safety Answering Point). Haywood County's funding would not change. Waynesville would be paid for call for each 911 call received. It is very difficult to recruit employees to this type of work. Reasons include applicants that have drug use, debt, obesity, generational preferences, pay and societal attitude/perception of police. People are #1 priority and everything possible is being done to keep employees and the public safe.

Public Services

David Foster said the Public Services Department contains seven divisions. The number one priority is to offer a position to locate utilities which would comply with a 2015 N.C. law requiring positive response on all requests for 811 location services. The Town implemented the knuckle boom program about two years ago to help with brush collection. With Water Maintenance we still have a water tank in Chestnut Park that is in private property. The possibility of interconnections to provide water to other local entities needs to be studied further to ensure that Waynesville continues to maintain its customers, water pressure, etc. Mr. Foster said he would like to introduce a program so that raw sewage is not pumped out anywhere except the sewer system. On 2 million gallon tank there are some mandatory improvements needed. We would like to see adjustments on drought policy so that adjustments can be made if we sell water to other locations. On sewer treatment we would like to have a plan to treat with something other than chlorine. We hope to have the ability to serve our WWTP with electricity. Peak saving generation needs to be looked at. In Asset Services Waynesville spends \$60,000 per year on an electrician and it may be more cost feasible to hire an employee for this service. They would like to continue career track and other training at their own facility.

Recreation

Parks and Recreation Director Rhett Langston said his department just completed their Five-Year (2017-2022) Strategic Plan, establishing goals and objectives.

Waynesville Board of Aldermen Minutes

Special Called Meeting – February 24, 2017 – Board Retreat

- Goal One is to develop communication standards that will allow more cohesiveness between all divisions within the Waynesville Parks and Recreation Department.
- Goal Two is to develop new and increase current facilities, programs and self-directed activities to reach a broader range of cultures, abilities and generations.
- Goal Three is to develop additional directional signage and better uniformed appearance of boundary markings to create an easily recognizable identification of an area as a Waynesville Parks and Recreation Department facility or park.
- Goal Four is to expand the ability to both recruit and keep high quality staff for the Waynesville Parks and Recreation Department.
- Goal Five is to integrate proven technology and media to better fit what is happening and accepted in our culture in order to expand outreach and service.

Adjournment

Alderman Caldwell made a motion, seconded by Alderman Freeman, to adjourn the Special Meeting Retreat at 3:50 p.m. and continue discussions at the Board of Aldermen Meeting on Tuesday, February 28. The discussion will begin with 2017 priorities. The motion carried unanimously.

Gavin A. Brown, Mayor

Robert H. Hites, Jr.
Town Manager

Attest:

Phyllis R. Rogers, Retired Town Clerk

Amanda W. Owens, Town Clerk
Waynesville Board of Aldermen Minutes
Special Called Meeting – February 24, 2017 – Board Retreat

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REGULAR MEETING
February 28, 2017

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, February 28, 2017 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
Alderman Gary Caldwell
Alderman Jon Feichter
Alderman Julia Freeman
Alderman LeRoy Roberson

The following staff members were present:

Rob Hites, Town Manager
Woody Griffin, Town Attorney
Amie Owens, Assistant Town Manager/Town Clerk
Elizabeth Teague, Development Services Director
Eddie Caldwell, Finance Director
David Foster, Public Services Director
Chief Bill Hollingsed, Police Department

The following media representatives were present:

Allison Richmond, the Mountaineer
Cory Vaillancourt, Smoky Mountain News

1. Welcome /Calendar/Announcements

Mayor Gavin Brown welcomed everyone to the meeting and noted the following calendar events including:

- April 25th – REACH Fashion Show the Inn at Tranquility Farm on Camp Branch. Alderman Freeman noted that the focus is on young professional women.

2. Adoption of Minutes

Alderman Caldwell made a motion, seconded by Alderman Freeman, to approve the minutes of the February 14, 2017 regular meeting, as presented. The motion carried unanimously.

B. PRESENTATION

3. Presentation of Revaluation Information for the Town of Waynesville

David Francis, Tax Administrator for Haywood County provided an update on the tax revaluation. He went over county statistics related to the reappraisal and provided graphic representations of new home building numbers and the grading systems (quality and condition) utilized in the revaluation. Mr. Francis added that land sales had decreased overall in the county. Waynesville had a slight increase 0.74% from the last revaluation. He provided some illustrative pictures as examples of where increases and decreases were seen. Mr. Francis explained that commercial development had helped Waynesville with the renovation of Ingle's, the addition of Chick-fil-A and the additional warehouse for Giles Chemical.

Mayor Brown inquired if appeals process would lead to a lessened value than those values presented tonight. Mr. Francis answered that he did not think there would be a significant decrease. He highlighted pending legislation related to waiver of property tax for fully disabled Veterans. This exclusion would impact approximately 210 in Haywood County. Mr. Francis noted that final numbers should be known in April.

Alderman Feichter clarified that the \$40 million which would be waived under the Veterans exclusion would be county wide. Mr. Francis confirmed. Mr. Francis added that appraisals for estates can impact the total valuation as well. He explained that it is his intention to request that the County return to a four-year revaluation cycle.

Mayor Brown commented that the numbers were expected and as time goes on hopefully, the commercial values will continue to increase. The housing sector is still very slow in its rebound and with 10 years of inventory for vacant land, commercial and residential, there is still room to improve.

Mayor Brown thanked Mr. Francis for his report.

C. CALL FOR PUBLIC HEARING

4. Call for Public Hearing to consider a staff and Planning Board initiated text amendment to the Town of Waynesville Ordinances regarding temporary signage, Land Development Standards Section 11.5.12

Development Services Director Elizabeth Teague explained that this request is being made by the Town Planning Board in response to the 2015, U.S. Supreme Court decision in the case entitled *Reed v. Town of Gilbert, Arizona* in which the Court determined that if an enforcement official has to read the content of a sign to determine whether its size and location are permitted, the local ordinance is unconstitutional. She had that both the staff and Planning Board had done extensive research and made some narrow changes related to temporary signage. Political signage is regulated by statute and the ordinance will reference the parameters outlined by the state.

Ms. Teague noted that the Planning Board had unanimously approved the amended language at their February 20, 2017 meeting. She added that there is no action required by the Board other than to call for a public hearing and requested that the hearing date be moved to March 28, 2017.

Alderman Roberson made a motion, seconded by Alderman Feichter to call for a public hearing on Tuesday, March 28, 2017 at 6:30 p.m. or as closely thereof as possible in the Board Room of Town Hall located at 9 South Main Street, Waynesville, to consider a staff and Planning Board initiated text amendment to the Town of Waynesville Ordinances regarding temporary signage, Land Development Standards Section 11.5.12, as presented. The motion carried unanimously.

D. NEW BUSINESS

5. Request to approve the Interlocal Agreement with Haywood County

Ms. Teague explained that an Interlocal Agreement with Haywood County had been drawn up for the Calvary Street property. The essentials of this agreement allow the County to convey to the Town for use as a park with provisos that the Town will clean up and develop the property within 6 months. Ms. Teague noted the desire to move forward with the project as it is supported by the neighborhood and both Town and County. She added that she has been working with the Historic Preservation Commission on obtaining a Certified Local Government Grant for this area and the Dix Hill Cemetery which would allow for sharing of historical research that could be incorporated into the park.

Mayor Brown added that this solution benefits the citizens of Waynesville and Haywood County. He noted that there will be a reverter clause in the deed that if the property is not substantially used for park, the property would revert back to Haywood County.

Alderman Feichter made a motion, seconded by Alderman Caldwell to approve the Interlocal Agreement with Haywood County and to authorize staff to proceed with building demolition and property clean up, as presented. The motion carried unanimously.

6. Budget Amendment for the replacement of filter media at the Water Treatment Facility

Public Services Director David Foster explained that the filter media at the Water Treatment Facility have been in use for almost 60 years. Mr. Foster brought some of the new and used filter media to illustrate what happens when these ceramic balls become misshapen. The request is to increase the budget for this project by \$85,000 to replace up to 50% of the filter media at the facility. Any unused funds will revert to fund balance. Town Manager Rob Hites added that this funding would also allow for any repairs to walls and beds as the media is replaced.

Finance Director Eddie Caldwell explained that the funding is available and would not have to spend savings as it could come from current revenues.

Alderman Feichter inquired as to how long the project would take. Mr. Foster answered that the project should take just over one month. This would leave only the refurbishment of the two-million gallon tank for Water Treatment.

Alderman Roberson made a motion, seconded by Alderman Freeman to approve budget amendment #4 to the 2016-2017 Budget Ordinance, as presented. The motion carried unanimously.

7. Board Appointments for vacant positions

A. TDA 1% Zip Code Subcommittee

Mayor Brown explained that there were two vacancies for the Tourism Development Authority (TDA) 1% Zip Code Subcommittee for 28786/28785. He confirmed with Lynn Collins, TDA executive director that there was approximately \$100,000 expended within the zip codes in the past year.

The two applicants are Angie Leatherwood and Tina Masciarelli. Both of these ladies have experience with tourism-related projects and were eager to serve. No additional applications were received.

Alderman Caldwell made a motion, seconded by Alderman Feichter to appoint Angie Leatherwood and Tina Masciarelli to serve as representatives on the 1% Zip Code Subcommittee representing 28786/28785. The motion carried unanimously.

Mayor Brown added that the Haywood County Board of County Commissioners had to confirm these applicants as well and that this was on their upcoming agenda.

B. Waynesville Housing Authority

Mayor Brown explained that there was one vacancy on the Waynesville Housing Authority Board. This vacancy has to be filled with someone who is currently utilizing services of the WHA. The applicants for the position were Patricia McLean and Mary Ann White.

Board Members voted via written ballot and Ms. Mary Ann White unanimously elected to serve. Ms. Owens will inform Ms. White and WHA Board of this appointment.

D. COMMUNICATIONS FROM STAFF

8. Manager's Report – Town Manager Rob Hites

Town Manager Rob Hites noted that he had nothing to report but would be interested in hearing the Board members' priorities for the upcoming year.

9. Attorney's Report – Town Attorney Woody Griffin

Town Attorney Griffin had nothing to report.

E. COMMUNICATION FROM THE MAYOR AND BOARD

Mayor Brown began the discussion of Board Priorities by thanking the staff for their presentations at the retreat. He commented that it was nice to hear what is going on from a detailed and department specific perspective. Mayor Brown took the time to explain that in looking back through previous retreats and strategy sessions, it was interesting to find that some items such as

succession planning and health care will always be concerns, but that many items had been achieved such as the addition of new fire fighters, renovation to the public services building, etc....

Mayor Brown recounted that the major source of revenue is taxes, noting that sales tax is barely equal to 2006 and property tax increased but not as it should. General fund operations have been flat to say the least. Mayor Brown explained that if the Town is going to fund projects such as waste water treatment improvements, greenways and other recreational amenities, we will have to find additional sources of revenue or raise taxes. The board members indicated that they were not inclined to raise taxes since the rate had increased 8 cents over past four years.

Mayor Brown offered the possibility of trying for a general obligation (GO) bond to fund future projects. This is a way to gain voter input and have funding available for projects that are too large to finance for short term. Due to the current credit rating for the Town, a GO bond may be a better option.

Mayor Brown asked all board members to weigh in as to their priorities. Board members provided their listing with justification as such. The following collective list of priorities was agreed upon by members.

2016-2017 Board Priorities

1. Continued Development of Greenway(s)
2. 2030 (or 2040) Plan Development
3. Waste Water Treatment Plant – analysis and proposals for necessary upgrades and improvements to be paid for from sewer fund
4. Personnel - addition of two (2) telecommunicators for Police and one (1) position in Finance; if possible, add the Locator position in Public Services
5. Improvements to Frog Level and Hazelwood including infrastructure
6. Recreation – addition of restroom facilities centralized to activities
7. Additional projects for recreation and/or infrastructure as funds are available

Mayor Brown again reiterated that a tax increase is off the table this year and the goal is to not raise taxes moving forward. He added that projects will come up as part of regular operational considerations. However, the projects should be prioritized for Frog Level and Hazelwood.

Alderman Roberson asked about the Allens Creek Sewer consideration. Mr. Foster explained that it would be his recommendation to not have Waynesville as the lead on such a project, but rather defer to another agency such as Haywood County as it is still a health situation or Haywood Waterways as they just got Richland Creek off the impounded creek listing and have access to several grant programs.

Mayor Brown thanked the Board members for their time and consideration of these priorities and Manager Hites for his leadership in relaying the information to staff.

E. CALL ON THE AUDIENCE

Dick Young addressed the board. Mr. Young inquired if Bill's Barbershop could have been used as a restroom site in Hazelwood. Mr. Foster explained that due to concerns with building materials, it was more economical and safer to demolish and build new facilities.

Mr. Young asked why the trees at Hazelwood Tire were being cut down. Mr. Foster surmised that horticulturalist Jonathan Yates was chasing disease in the trees but that he would have Mr. Yates contact Mr. Young to explain what was being done and why.

F. ADJOURN

There being no further business to discuss, Alderman Feichter made a motion, seconded by Alderman Caldwell to adjourn the meeting at 8:16 p.m. The motion carried unanimously.

ATTEST

Gavin A. Brown, Mayor

Robert W. Hites, Jr., Town Manager

Amanda W. Owens, Town Clerk

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: March 28, 2017

SUBJECT: Public Hearing to consider a request for Annexation from Thomas and Susan Knapko for PIN 8626-04-9887 at 246 Woods Edge Road to receive municipal services.

AGENDA INFORMATION:

Agenda Location:	Call for Public Hearing
Item Number:	6-C
Department:	Administrative Services
Contact:	Amie Owens, Assistant Town Manager
Presenter:	Amie Owens, Assistant Town Manager

BRIEF SUMMARY: The Town received the attached “Petition for Annexation of Contiguous ‘Satellite’ Areas,” executed by Thomas and Susan Knapko. It is within the Town’s Extraterritorial Jurisdiction and is contiguous at one point with properties within the Town’s Municipal Boundary. Water and sewer services are being provided by the Town of Waynesville in this area already and there is no concern related to service provision and available connectivity. Haywood County has weighed in on this annexation and has no concerns.

If the board approves, a call for public hearing will be held at the next regular meeting of the Town of Waynesville Board of Aldermen.

MOTION FOR CONSIDERATION:

To call for Public Hearing to be held on Tuesday, March 28, 2017 at 6:30 p.m. or as closely thereafter as possible in the Board Room of Town Hall located at 9 South Main Street, Waynesville to consider the request for Annexation from Thomas and Susan Knapko for PIN 8626-04-9887 at 246 Woods Edge Road to receive municipal services.

FUNDING SOURCE/IMPACT: Future action to annex this property will allow the property to receive Town Municipal services, will minimally impact property tax revenues.

ATTACHMENTS:

1. Petition
2. Maps of ETJ (blue) and Annexed (pink) Municipal Boundaries
3. Email from Haywood County

MANAGER’S COMMENTS AND RECOMMENDATIONS: Action required is to call for Public Hearing only.

ANNEXATION UPON PETITION OF ALL
OWNERS OF REAL PROPERTY

(G.S. 160A-31, as amended)

(Date)

TO: Board of Aldermen of the Town of Waynesville

1. We, the undersigned owners of real property, respectfully request that the area described below be annexed to the Town of Waynesville.
2. Character of area to be annexed:
 - a. Any area which is contiguous to the corporate limits of the Town of Waynesville may be annexed by petition.
 - b. For purposes of these laws, an area is deemed "contiguous" if, at the time the petition is submitted, the area either abuts directly on the municipal boundary or is separated from the municipal boundary by a street, right-of-way, a creek or river, or the right-of-way of a railroad or other public service corporation, lands owned by the municipality or some other political subdivision, or lands owned by the State.
3. The area to be annexed is contiguous to the Town of Waynesville and the boundaries of such territory are as follows:
 - a. Metes and bounds description is attached.
 - b. Tax map of the proposed territory is attached.

NAME THOMAS E. KNAPKO cell- (828) 507-0757
ADDRESS 115 WAYAH ZODSHUGA RD. Maggie Valley, NC 28751

SIGNATURE *Thomas E. Knapko*

NAME SUSAN G KNAPKO

ADDRESS 115 WAYAH ZODSHUGA RD. Maggie Valley, NC 28751

SIGNATURE *Susan G. Knapko*

NAME _____

ADDRESS _____

SIGNATURE' _____

(Attach additional sheet if necessary)

Parcel Report For 8626-04-9887

KNAPKO, THOMAS E
KNAPKO, SUSAN G
115 WAYAH ZOOSHUGA RD
MAGGIE VALLEY, NC 28751

Account Information

PIN: 8626-04-9887

Legal Ref: 675/2223

Add Ref: 681/1387
CAB C/4617

Site Information

WOODS EDGE RD

Heated Area: 0
Year Built: 0
Total Acreage: 1.35 AC
Township: WAYNESVILLE

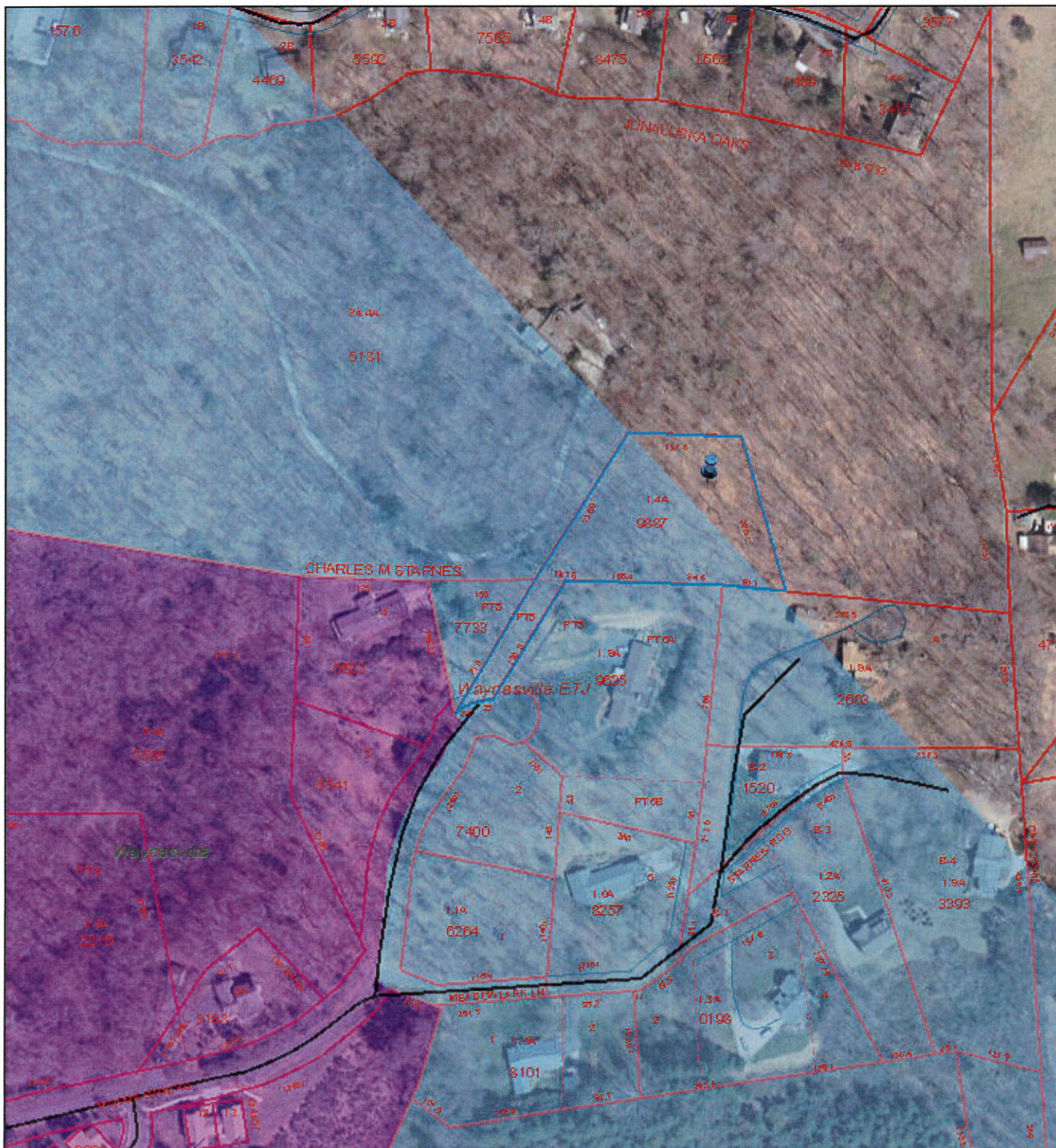
Site Value Information

Land Value: \$59,800
Building Value: \$0
Market Value: \$59,800
Deferred Value: \$0
Assessed Value: \$59,800
Sale Price: \$0
Sale Date: 7/31/2006
Tax Bill 1: \$418.64
Tax Bill 2: \$418.64



1 inch = 200 feet
March 6, 2017

Disclaimer: The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of any information contained on these maps. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.





Parcel Report For 8626-04-9887

KNAPKO, THOMAS E
KNAPKO, SUSAN G
115 WAYAH ZOOSHUGA RD
MAGGIE VALLEY, NC 28751

Account Information

PIN: 8626-04-9887

Legal Ref: 675/2223

Add Ref: 681/1387
CAB C/4617

Site Information

WOODS EDGE RD

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Township: WAYNESVILLE

Site Value Information

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Building Value: \$0
Market Value: \$59,800
Deferred Value: \$0
Assessed Value: \$59,800
Sale Price: \$0
Sale Date: 7/31/2006
Tax Bill 1: \$418.64
Tax Bill 2: \$418.64



1 inch = 100 feet
March 6, 2017

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Printed: 03 MAR 2017 - by 0
CARD 1 OF 1

Haywood County NC Property Record Card

Page: 1
Tax Year : 2017

Parcel : 8626-04-9887 Woods Edge Rd #A

Tax Districts
F04 LAKE JUNALUSKA FIRE DIST

OWNER INFORMATION		PROPERTY FACTORS		SALES INFORMATION				
ACCT: 146173	KNAPKO, THOMAS E	Topography		Date	Sales	Price	Vld	Bk/Pg
	KNAPKO, SUSAN G	R ROLLING		07/31/06			0 U	675/2223
	115 WAYAH ZOOSHUGA RD	Land Mkt Adj	Streets/Roads					
	MAGGIE VALLEY, NC 28751		P PAVED					

MISCELLANEOUS INFORMATION		ENTRANCE INFORMATION		VALUE SUMMARY		
Township : 16 WAYNESVILLE		Date	Type Source	Appraiser	Assessed	Current
Address : WOODS EDGE RD		08/17/16	8	GW	59,800	59,800
Land Use :					0	0
Nbrhood : 15R094 WOODSEGE/STARNES					59,800	59,800
Map : 8626.03					0	0
Class : R1 RESIDENTIAL 1					Net Taxable : 59,800	59,800

Remarks:
No Remarks on file

--- LAND DATA ---

#	MTH	TYPE	SIZE	GRADE	%ADJ	APPR	DEFER	TAX
1	A	HP HOMESITE PRIMARY	1.00			55,000	0	55,000
2	A	HR HOMESITE RESIDUA	0.35			4,800	0	4,800
Total Acres : 1.35				Land Totals		59,800	0	59,800

--- OUTBUILDINGS ---

BLDG#	TYPE	MTH	DESCRIPTION	REMARKS	%COMP	STORIES	AREA	GRD	YEAR BUILT	EFF YR	COND	PHYS	FUNC	ECON	TAX VALUE
CARD 1 OUTBUILDING VALUE															0

End of Page 1

Printed: 03 MAR 2017 - by 0
CARD 1 OF 1

Haywood County NC Property Record Card

Page: 2

Parcel : 8626-04-9887 Woods Edge Rd #A
Owner : 146173 KNAPKO, THOMAS E

----- BUILDING DESCRIPTION -----

VAL METHOD :
USE CODE :
OCCUPANCY :
STYLE :
NBR STORIES :
WALL HEIGHT :
FOUNDATION :
EXTERIOR WALL :
YR BUILT / EFF :
CONDITION :
GRADE :
DESIGN FACTOR :
BASEMENT AREA : NO BASEMENT
ATTIC AREA : NO ATTIC
FIN UPPER STORY : NO
UNFIN UPPER STORY : NO
ROOMS / BDRMS : /
FULL / HALF BATHS : 0 / 0 ADDL FIX: 0
FIREPLACE TYPE/CNT:
FIREPLACE OPENINGS: 0 CHIMNEY(S): 0
AIR COND PCT :
SPRINKLER PCT :
HEATING TYPE :
MARKET FACTOR :
% COMPLETE :
DESCRIPTION :
REMARKS :

Heated Sq Ft :

----- BUILDING SECTION DETAIL -----
LN TYPE DESCRIPTION AREA VALUE #ST P% F%

----- BUILDING COMPUTATION -----
RCN

PHYS DEPR
FUNC DEPR
ECON DEPR
% COMPLETE

RCNLD

LAST PICTURE DATE :

End of Page 2



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TRANSFER MADE ON RECORD

Date 7/31/06
By SD

HAYWOOD COUNTY TAX CERTIFICATION

There are no delinquent taxes due that are a lien
against parcel number(s) 8626-04-9850

David B. Francis, Haywood County Tax Collector

Date: 7/31/06 By: LB. W. J. J.

Haywood County--Register of Deeds

Amy R. Murray, Register of Deeds

Inst# 646814 Book 675 Page 2223

Pgs: 3 07/31/2006 03:24:37pm

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax: \$

Parcel Identifier No. 8626-04-9850 Verified by _____ County on the _____ day of _____, 20____
By: _____

Mail/Box to: Jeff Norris

This instrument was prepared by: Wm. I. Millar

Brief description for the Index: 1.2 acres

THIS DEED made this 31st day of July, 2006, by and between

GRANTOR

R. C. HAMMETT and wife,
LUCINDA M. HAMMETT

GRANTEE

THOMAS E. KNAPKO and wife,
SUSAN G. KNAPKO
246 Woods Edge Road
Waynesville, NC 28786

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of _____, Waynesville Township, Haywood County, North Carolina and more particularly described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE

The property hereinabove described was acquired by Grantor by instrument recorded in Book 357 page 528 and Book 357, page 357.

A map showing the above described property is recorded in Plat Cabinet _____ page _____.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

(Entity Name)

R.C. Hammett (SEAL)
R.C. Hammett

By: _____
Title: _____

Lucinda M. Hammett (SEAL)
Lucinda M. Hammett

By: _____
Title: _____

(SEAL)

By: _____
Title: _____

(SEAL)

State of North Carolina - County of Haywood

I, the undersigned Notary Public of the County and State aforesaid, certify that R.C. HAMMETT and wife, LUCINDA M. HAMMETT personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 28th day of July, 2006.

My Commission Expires: 2/2/08



Janice L. Howell
Notary Public

State of North Carolina - County of _____

I, the undersigned Notary Public of the County and State aforesaid, certify that _____ personally came before me this day and acknowledged that he is the _____ of _____, a North Carolina or _____ corporation/limited liability company/general partnership/limited partnership (strike through the inapplicable), and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed. Witness my hand and Notarial stamp or seal, this _____ day of _____, 20____.

My Commission Expires: _____

Notary Public

The foregoing Certificate(s) of _____ is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Register of Deeds for _____ County
By: _____ Deputy/Assistant - Register of Deeds

EXHIBIT "A"

BEGINNING at an 18" (1976) oak tree at the northeast corner of Lot 6 of Charles M. Starnes Subdivision (Hammett Deed Book 357, page 528) and runs with the northerly boundary of Lot 6 North 89-37-50 West 220.00 feet (passing through an iron stake at 54.54 feet) to a stake at the northeast corner of Lot 5 (Woodberry Deed Book 308, page 65); thence continuing North 89-37-50 West 38.38 feet to an iron stake in the northerly boundary of Lot 5 (which stake is North 29-12-30 East 218.07 feet from the southwest corner of Lot 5); thence North 29-12-30 East 238.99 feet to an iron stake; thence North 29-12-30 East 238.99 feet to an iron stake; thence South 89-37-50 East 157.76 feet to an iron stake; thence South 17-46-00 East 220.29 feet to an iron stake in the Starnes line; thence with the Starnes line North 89-37-50 West 83.23 feet to the BEGINNING, containing 1.2 acres, as per survey and plat of James T. Herron, RLS, dated 7-21-76, revised 10-25-79, and revised again 4-4-91, entitled "Revision of Lot 6, Charles M. Starnes", and identified as Drawing No. 904-134-A, and BEING a part of that property conveyed to Gary P. Todd et ux. by deeds recorded in Deed Book 282, page 294 and Deed Book 332, page 130, Haywood County Registry.

BEING the identical property conveyed by deed dated May 29, 1991 from Gary P. Todd et ux. to R.C Hammett et ux. recorded in Deed Book 418, page 1191, Haywood County Registry.

Amie Owens

From: Kris Boyd <KBoyd@haywoodnc.net>
Sent: Wednesday, March 15, 2017 8:40 AM
To: Elizabeth Teague
Cc: Amie Owens; Ira Dove; Chip Killian
Subject: RE: Parcel information

Elizabeth,

The parcel is contiguous with the current municipal boundary and approximately .9 of the total 1.4 acres already in the ETJ. The ingress/egress is by right of way that is already within the municipal boundary. This parcel is within the Charles Starnes subdivision of which all parcels are located in the municipal boundary or ETJ excepting this .5 acre area.

In considering the Town has received a voluntary annexation petition and already provide water/sewer in the area, I do not have any concerns with the Town of Waynesville annexing this property into the municipal boundary.

Thanks,

Kris R. Boyd
Haywood County Planning Director
157 Paragon Parkway, Suite 200
Clyde, NC 28721
(828) 452-6632
(828) 452-6798 FAX

kboyd@haywoodnc.net

-----Original Message-----

From: Elizabeth Teague [<mailto:eteague@waynesvillenc.gov>]
Sent: Monday, March 06, 2017 3:29 PM
To: Kris Boyd
Cc: Amie Owens
Subject: FW: Parcel information

Kris,

We recently got a request for annexation from a property that is partially in the Town's ETJ and partially out of our ETJ (attached). Prior to this going any further, I'd like to get county feedback on this request. Thanks-

ET

Elizabeth Teague, AICP, CTP | Development Services Director Town of Waynesville, NC
9 S. Main Street | PO Box 100 | Waynesville, NC 28786
(o) 828.456.2004 | (f) 828.452.1492
eteague@waynesvillenc.gov | www.waynesvillenc.gov

-----Original Message-----

From: Amie Owens

Sent: Monday, March 06, 2017 3:12 PM

To: Elizabeth Teague

Subject: Parcel information

Elizabeth:

We confirmed with Jeff that we have water and sewer already in the area (including to the Liphams) and serve many of the households there. If the county is agreeable to us moving forward with the voluntary annexation, we can get it on the next agenda for the Board of Aldermen.

Thanks!

Amie Owens

Assistant Town Manager

aowens@waynesvillenc.gov

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) sent in response to it, may be considered public record and as such are subject to request and review by anyone at any time.

-----Original Message-----

From: waynesville@waynesvillenc.gov [<mailto:waynesville@waynesvillenc.gov>] On Behalf Of waynesville@

Sent: Monday, March 06, 2017 3:29 PM

To: Amie Owens

Subject: Scanned image from Waynesville Admin

Reply to: waynesville@waynesvillenc.gov <waynesville@waynesvillenc.gov> Device Name: Waynesville Admin Device

Model: MX-6240N

Location: Not Set

File Format: PDF (Medium)

Resolution: 200dpi x 200dpi

Attached file is scanned image in PDF format.

Use Acrobat(R)Reader(R) or Adobe(R)Reader(R) of Adobe Systems Incorporated to view the document.

Adobe(R)Reader(R) can be downloaded from the following URL:

Adobe, the Adobe logo, Acrobat, the Adobe PDF logo, and Reader are registered trademarks or trademarks of Adobe Systems Incorporated in the United States and other countries.

<http://www.adobe.com/>

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: March 28, 2017

SUBJECT: Public Hearing to consider a staff and Planning Board initiated text amendment to the Town of Waynesville Ordinances regarding temporary signage, Land Development Standards Section 11.5.12.

AGENDA INFORMATION:

Agenda Location: Public Hearing
Item Number: 7-D
Department: Development Services
Contact: Elizabeth Teague, Development Services Director
Presenter: Elizabeth Teague, Development Services Director

BRIEF SUMMARY: This request is being made by the Town staff and Planning Board in response to the 2015, U.S. Supreme Court decision in the *Reed v. Town of Gilbert, Arizona* case in which the Court determined that if an enforcement official has to read the content of a sign to determine whether its size and location are permitted, the local ordinance is unconstitutional. More background on the case and its potential ramifications is available at the UNC Institute of Government blog <http://canons.sog.unc.edu/sign-litigation-a-brief-analysis-of-reed-v-town-of-gilbert/>. At their February 20th 2017 Meeting, the Planning Board voted unanimously to recommend to the Aldermen that the proposed changes were Consistent with the 2020 Comprehensive Land Use Plan and to amend the text of the Town's sign ordinance as presented.

MOTIONS FOR CONSIDERATION:

1. Motion to find the text amendment consistent with the 2020 Comprehensive Land Development Plan.
2. Motion to approve (or *not approve*, or *approve with changes*) proposed amendments to the Town of Waynesville Ordinances regarding temporary signage, Land Development Standards Section 11.5.12.

FUNDING SOURCE/IMPACT: N/A

ATTACHMENTS:

1. Staff report with proposed changes to the Town's sign ordinance.

MANAGER'S COMMENTS AND RECOMMENDATIONS: Recommend approval

Board of Aldermen Staff Report

Subject: Text Amendment to the Land Development Standards regarding Political Signs
Ordinance Section: 11.5.12
Applicant: Town of Waynesville
Meeting Date: March 28, 2017

Background:

In June 2015, the U.S. Supreme Court issued a decision in the case entitled *Reed v. Town of Gilbert, Arizona*. The case involved Gilbert, Arizona which adopted a municipal sign ordinance that regulated the manner in which signs could be displayed in public areas in 2005. The town's sign code identified various categories of signs based on the type of information they conveyed, and then subjected each category to different restrictions. One of the categories was "Temporary Directional Signs Relating to a Qualifying Event," loosely defined as signs directing the public to a meeting of a nonprofit group. When the town cited a local church for violating the ordinance, the church filed a lawsuit in which they argued the town's sign regulations violated its First Amendment right to the freedom of speech.

The Supreme Court unanimously held that that this distinction was a content-based regulation of speech that could not survive strict scrutiny because the sign ordinance imposed more stringent restrictions on one category of signs than on signs conveying other messages. The Court decision holds that content or message contained on a sign cannot be used to determine its legality, or to regulate it more restrictively than any other type of sign allowed within the jurisdiction. In other words, if an enforcement official has to read the content of a sign to determine whether its size and location are permitted, the local ordinance is unconstitutional. More background on the decision is available at the UNC Institute of Government blog <http://canons.sog.unc.edu/sign-litigation-a-brief-analysis-of-reed-v-town-of-gilbert/>).

As a result of this ruling, local governments around the country must amend any content-specific regulations within local sign ordinances which are now no longer enforceable. The Court case does not change a local government's ability to regulate signs in content-neutral ways, such as regulations related to size, building materials, lighting, moving parts, and portability. Additionally, local governments will still be able to forbid postings on public property, so long as they do so in an evenhanded, content-neutral manner.

Waynesville's Sign Standards:

Waynesville's sign standards, Chapter 11.5 of the Land Development Standards regulates for content under the Section "Signs Not Requiring a Permit" and includes regulations for Real Estate (Section 11.5.11), Political Signs (Section 11.5.11) and Construction Signs (Section 11.5.13). Also distinguished by content are various Temporary Signs but only parts of this section conflict with the Court's Ruling (highlighted below).

11.5 - Signs Not Requiring a Permit.

11.5.11 Real Estate Signs.

- A. Only one (1) sign is allowed per street frontage.
- B. Such signs may not be illuminated.
- C. Such signs may be no greater than four (4) square feet in area (all types of signs) and four (4) feet in height (if freestanding) when located on residential property.
- D. Such signs may be no greater than thirty-two (32) square feet in area (all types of signs) and eight (8) feet in height (if freestanding) for non-residential properties, except that such signs may not exceed the maximum height and size for permanent signs within the district.

11.5.12 Political Signs (rev. 9/11/12)

- A. Duration: such signs may be displayed during a period beginning thirty (30) days prior to the beginning date of "one-stop" early voting under G.S. 163-227.2 and concluding ten (10) days after the primary or election day immediately following.
- B. Placement:
 - 1. No sign shall be permitted in the right-of-way of a fully controlled access highway.
 - 2. No sign shall be closer than three (3) feet from the edge of pavement of the road.
 - 3. No sign shall obscure motorist visibility at an intersection.
 - 4. No sign shall be higher than 42 inches above the edge of pavement of the closest road.
 - 5. No sign shall be larger than sixteen (16) square feet.
 - 6. No sign shall be attached to a utility pole.
- C. Permission: such signs may only be located on private property with the permission of the property owner. When located in the public right-of-way in front of residences, businesses or religious institutions the permission of the property owner shall be obtained.
- D. Illumination: such signs may not be illuminated.

11.5.13 Construction Signs (rev. 9/11/12)

- A. Construction signs shall be allowed provided such signs do not exceed one (1) sign per street frontage with a maximum of two (2) signs per construction site.
- B. Such signs shall not exceed sixteen (16) square feet in area and six (6) feet in height for single-family or duplex residential construction or thirty-two (32) square feet in area and eight (8) feet in height for other construction.
- C. Construction signs shall not be erected prior to the issuance of a building permit and shall be removed within seven (7) days of the issuance of building permit and shall be removed within seven (7) days of the issuance of a certificate of occupancy on the last building in the development.

11.5.14 Temporary Signs

A. **Window Signs:** Temporary signs which are affixed to the inside of a window. Such signs shall not exceed 50% of the window area except within designated National Register Historic Districts where such signs shall not exceed 25% of the window area.

- B. **Special Event Signs:** Signs may be erected by public or non-profit organizations such as schools and churches for promoting special events as follows:
1. Signs for public events such as fund drives, fairs, festivals, sporting events, etc. may be displayed for a period of thirty (30) days.
 2. The maximum size and height shall be the same as established for a permanent sign of the same type in the district in which the sign is erected.

C. Yard Sale Signs

1. Such signs may be located on-premises only and may not be located within a public right-of-way nor placed on a tree, street sign or utility pole.
2. Such signs may not be illuminated.
3. Yard sale signs are limited to four (4) square feet in area and four (4) feet in height.
4. One (1) yard sale sign is allowed per street frontage.
5. Such signs may be displayed no more than one day in advance of the sale and be removed the day following the sale.

D. Vehicular Signs: signs not prohibited under Section 11.8.11 displayed on vehicles and equipment which are being operated in the normal course of business, such as signs indicating the name of the owner or business and which are affixed or painted onto such vehicles or equipment, provided that when not being so operated, such vehicles are parked or stored in areas appropriate to their use as vehicles and in such a manner and location so as to minimize their visibility from any street to the greatest extent feasible.

E. Ball Field Fence Signs: nonprofit organizations, i.e., local ball leagues, may attach signage to ball field fences providing the following requirements are met:

1. Sign panels must be of uniform size and weather durable material and cannot exceed three feet by five feet in dimension.
2. Signage must be attached to the interior (ball field) of the chain link fencing, have advertising copy on only the interior (ball field) side of fencing and cannot be self-illuminated.
3. Where adjacent properties are in residential use the back (exterior) side of the sign must be a dark solid color and be uniform in color with all the other signs.
4. All signs must be kept clean and in good repair.
5. Signage cannot exceed one per fence panel.
6. Sign must be uniform in height.
7. Signage can be erected two weeks prior to the beginning of the ball season and must be taken down within two weeks from the conclusion of the season.
8. The organization or tenant leasing the property will be responsible for installing and removing the signs.

F. Decorative Flags (except American Flags) shall be counted towards the maximum signage square footage for Attached Signs permitted in the district. Only one (1) flag for every 25 feet of linear building frontage is permitted. All such flags on a single building face shall count as one of the three (3) permitted Attached Signs permitted on that building face.

G. Promotional/Special Event Signs

1. One (1) per property per street frontage
2. May be either a Ground Sign, or Attached Sign
3. The maximum size and height shall be the same as established for a permanent sign of the same type in the district in which the sign is erected.
4. Duration: may be displayed on one (1) occasion in any three (3) month period for a maximum of fourteen (14) consecutive days or on one (1) occasion in any six (6) month period for a maximum of thirty (30) consecutive days.
5. Permit required: a permit application shall be submitted indicating the size, content, location and dates of erection and removal. The permit fee shall be the same as that for a corresponding permanent sign as established by the Schedule of Fees and Charges except there shall be no fee for public or non-profit organizations such as schools and churches for promoting special events such as fund drives, fairs, festivals, sporting events.
6. Moveable Signs are expressly prohibited.
7. Banner type Promotion/Special Event Signs shall not be permitted within any district listed on the National Register of Historic Places.

H. Temporary Uses Signs for uses permitted by Section 4.6 shall be the same as Promotional/Special Event Signs in subsection G. of this section provided that the duration shall be the same as that of the specific Temporary Use.

Staff Recommended Text Changes:

This version of the text amendment to the Sign Ordinance, LDS Section 11.5.12, responds to discussion from the November and December meetings of the Planning Board in which staff proposed that the signs regulated by “content” were temporary signs. Staff recommended taking a narrow approach in response to *Gilbert*, and only changing that text of the sign ordinance that could be construed to be content-based.

The Planning Board expressed concern about including political signage into the text amendment because of possible conflicts with freedom of expression. There was also discussion about not wanting to limit the number or placement of political signs on private property. The Planning Board concluded that, because political signage is specifically addressed in the North Carolina Statutes (see attached), they would recommend quoting the existing State Statutes rather than include political signage as part of the Town’s text amendment in response to the Supreme Court Case. Therefore, this draft defers to the State in regards to political signage, but defers to the *Gilbert* Court Case in all other types of temporary signs that distinguish signs by content.

Consistency with the 2020 Comprehensive Land Development Plan:

The 2020 Comprehensive Land Use Plan includes the objective to: “Address important community appearance issues in the land development regulations for Waynesville.” (pp 4-5). The specific action under this objective is to: “Review and revise the town's sign ordinance to improve the appearance of signage in the community.” Accordingly, the purpose and need statement of the Town’s current ordinance, Chapter 11, reads:

“The purpose of this section and the other sign standards contained in this chapter, is to support and complement the various land uses allowed in the Town of Waynesville by the adoption of standards concerning the placement of signs. These standards are adopted under the zoning authority of the Town to achieve the following:

- To encourage the effective use of signs as a means of communication in the Town while preserving the rights of free speech under the First Amendment to the United States Constitution.
- To maintain and enhance the aesthetic environment and the Town's ability to attract sources of economic development and growth.
- To improve pedestrian and traffic safety.
- To minimize the possible adverse effect of signs on nearby public and private property. “

Staff submits that these proposed changes to the LDS Standards are consistent with the 2020 Comprehensive Land Use Plan in that it brings the Town standards into alignment with federal law while still trying to meet the goal of promoting orderly development (Waynesville 2020 Plan, 4-2). In supporting this text amendment, the Planning Board understands that there is not a precedent of interpretation or guidance provided by the courts in how local ordinances should respond. Therefore this ordinance may change again in the coming months or years as more case law is developed around the Supreme Court’s decision. The amendments as proposed do not change the Town’s purpose and need for the ordinance, and is does not change the objectives of the Comprehensive Plan.

Suggested Motion:

- 1) Motion to recommend that the proposed text amendment is consistent with the Town’s Comprehensive Land Use Plan.
- 2) Motion to recommend that the Signage Draft as provided (or as amended) to the Board of Aldermen as a text amendment.

Recommended Revisions to the Signage Ordinance (3/28/17):

11.5 - Signs Not Requiring a Permit.

11.5.1-10 remain the same. Real Estate, Special Event, Yard Sales, and Promotional/Special Events are combined with other temporary signs to eliminate their distinction by content.

11.5.11 Real Estate Signs

- ~~A. Only one (1) sign is allowed per street frontage.~~
- ~~B. Such signs may not be illuminated.~~
- ~~C. Such signs may be no greater than four (4) square feet in area (all types of signs) and four (4) feet in height (if freestanding) when located on a residential property.~~
- ~~D. Such signs may be no greater than thirty-two (32) square feet in area (all types of signs) and eight (8) feet in height (if freestanding) for non-residential properties, except that such signs may not exceed the maximum height and size for permanent signs within the district.~~
- ~~E. Real estate signs shall be removed within seven (7) days after the closing of the sale, rental or lease of the property.~~
- ~~F. Such signs shall only be located on property for sale or lease.~~

11.5.11 Temporary Signs are allowed for uses permitted by Section 4.6 provided that the duration shall be the same as that of the specific, permitted temporary use and for the purpose of yard sales, real estate, mobile vendors, special events or other signage of a temporary nature not otherwise addressed elsewhere in this ordinance.

A. General Requirements for temporary signs:

- 1. Such signage shall be limited to the time period for the project or purpose it describes and must be installed no more than 10 days before an event and removed within ten (10) days upon completion of the project or event, unless otherwise permitted or as specified in this section.*
- 2. Such signage shall not be placed on any Town property or Park without the permission of the Town Manager.*
- 3. Off-premise signs are prohibited.*
- 4. Temporary signs that encroach in a public or private right of way shall not create a safety hazard or impediment to use of the right-of-way, including:*
 - a) Such signs shall not be placed in a way as to interfere with pedestrians, cyclists, or motorists' access along rights-of-way, nor be placed so as to interfere with the line-of-sight of any motorist, or be placed in any way that creates a safety hazard for any mode of transportation.*
 - b) Such signs shall be placed a minimum of three (3) feet from any curb or edge of pavement.*

- c) Such signs shall not be placed within a Town maintained sidewalk or greenway.*
- d) Such signs shall not be attached to trees or utility poles.*
- e) Such signs shall not be illuminated unless they are part of an existing billboard or compliant sign structure that is already illuminated.*
- f) Such signs shall be of break-away or flexible material unless they are part of an existing billboard or compliant sign structure.*
- g) Such signs shall be limited to six (6) square feet in area and four (4) feet in height, or the maximum of the District in which it is located, whichever is less.*

- 5. *Regulations regarding temporary signs on private property shall comply with the dimensional requirements for a permanent sign of the same type in the district in which the sign is erected.*
- 6. *One (1) per property per street frontage.*
- 7. *May be either a Ground Sign, or Attached Sign.*
- 8. *Moveable Signs are expressly prohibited.*
- 9. *Banner type signs shall not be permitted within any district listed on the National Register of Historic Places.*

B. Window Signs: Temporary signs which are affixed to the inside of a window. Such signs shall not exceed 50% of the window area except within designated National Register Historic Districts where such signs shall not exceed 25% of the window area.

- ~~C. Special Event Signs: Signs may be erected by public or non-profit organizations such as schools and churches for promoting special events as follows:~~
 - ~~3. Signs for public events such as fund drives, fairs, festivals, sporting events, etc. may be displayed for a period of thirty (30) days.~~
 - ~~4. The maximum size and height shall be the same as established for a permanent sign of the same type in the district in which the sign is erected.~~

~~C. Yard Sale Signs~~

- ~~6. Such signs may be located on premises only and may not be located within a public right of way nor placed on a tree, street sign or utility pole.~~
- ~~7. Such signs may not be illuminated.~~
- ~~8. Yard sale signs are limited to four (4) square feet in area and four (4) feet in height.~~
- ~~9. One (1) yard sale sign is allowed per street frontage.~~
- ~~10. Such signs may be displayed no more than one day in advance of the sale and be removed the day following the sale.~~

C. Vehicular Signs: signs not prohibited under Section 11.8.11 displayed on vehicles and equipment which are being operated in the normal course of business, such as signs indicating

the name of the owner or business and which are affixed or painted onto such vehicles or equipment, provided that when not being so operated, such vehicles are parked or stored in areas appropriate to their use as vehicles and in such a manner and location so as to minimize their visibility from any street to the greatest extent feasible.

D. Ball Field Fence Signs: nonprofit organizations, i.e., local ball leagues, may attach signage to ball field fences providing the following requirements are met:

9. Sign panels must be of uniform size and weather durable material and cannot exceed three feet by five feet in dimension.
10. Signage must be attached to the interior (ball field) of the chain link fencing, have advertising copy on only the interior (ball field) side of fencing and cannot be self-illuminated.
11. Where adjacent properties are in residential use the back (exterior) side of the sign must be a dark solid color and be uniform in color with all the other signs.
12. All signs must be kept clean and in good repair.
13. Signage cannot exceed one per fence panel.
14. Sign must be uniform in height.
15. Signage can be erected two weeks prior to the beginning of the ball season and must be taken down within two weeks from the conclusion of the season.
16. The organization or tenant leasing the property will be responsible for installing and removing the signs.

E. Decorative Flags (except American Flags) shall be counted towards the maximum signage square footage for Attached Signs permitted in the district. Only one (1) flag for every 25 feet of linear building frontage is permitted. All such flags on a single building face shall count as one of the three (3) permitted Attached Signs permitted on that building face.

G. ~~Promotional/Special Event Signs~~

- ~~8. One (1) per property per street frontage~~
- ~~9. May be either a Ground Sign, or Attached Sign~~
- ~~10. The maximum size and height shall be the same as established for a permanent sign of the same type in the district in which the sign is erected.~~
- ~~11. Duration: may be displayed on one (1) occasion in any three (3) month period for a maximum of fourteen (14) consecutive days or on one (1) occasion in any six (6) month period for a maximum of thirty (30) consecutive days.~~
- ~~12. Permit required: a permit application shall be submitted indicating the size, content, location and dates of erection and removal. The permit fee shall be the same as that for a corresponding permanent sign as established by the Schedule of Fees and Charges except there shall be no fee for public or non-profit organizations such as schools and churches for promoting special events such as fund drives, fairs, festivals, sporting events.~~
- ~~13. Moveable Signs are expressly prohibited.~~
- ~~14. Banner type Promotion/Special Event Signs shall not be permitted within any district listed on the National Register of Historic Places.~~

11.5.12. Political Signs (rev. 9/11/12)*

1. Duration: such signs may be displayed during a period beginning thirty (30) days prior to the beginning date of "one-stop" early voting under G.S. 163-227.2 and concluding ten (10) days after the primary or election day immediately following.

2. Placement:

- a) No sign shall be permitted in the right-of-way of a fully controlled access highway.
- b) No sign shall be closer than three (3) feet from the edge of pavement of the road.
- c) No sign shall obscure motorist visibility at an intersection.
- d) No sign shall be higher than 42 inches above the edge of pavement of the closest road.
- e) No sign shall be larger than sixteen (16) square feet.
- f) No sign shall obscure or replace another sign.
- g) No sign shall be attached to a utility pole.

~~a. Permission: such signs may only be located on private property with the permission of the property owner. When located in the public right-of-way in front of residences, businesses or religious institutions the permission of the property owner shall be obtained.~~

3. Illumination: such signs may not be illuminated.

11.5.13 Construction Signs

- ~~A. Construction signs shall be allowed provided such signs do not exceed one (1) sign per street frontage with a maximum of two (2) signs per construction site.~~
- ~~B. Such signs shall not exceed four (4) square feet in area and four (4) feet in height for single-family or duplex residential construction or thirty-two (32) square feet in area and eight (8) feet in height for other construction.~~
- ~~C. Construction signs shall not be erected prior to the issuance of a building permit and shall be removed within seven (7) days of the issuance of a certificate of occupancy on the last building in the development.~~

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: March 28, 2017

SUBJECT: Grapevine Ball Holiday Decoration Purchase

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 8-E
Department: Public Services
Contact: David Foster, Public Services Director
Presenter: David Foster and Buffy Phillips, Director, DWA

BRIEF SUMMARY:

Consideration to purchase 115 - 12 inch grapevine ball decorations in warm white LED for use in the downtown trees during the holiday season. The old ball decorations are falling into disrepair. They were handmade several years ago but have reached the end of their service life. The new LED balls will match the pole wrap decorations the Town purchased a few years ago, and the LED fixtures will require significantly less energy to operate.

MOTION FOR CONSIDERATION: To approve the purchase of new Christmas decorations (115 grapevine balls) for trees on Main Street for the holiday season, as presented.

FUNDING SOURCE/IMPACT:

The Electric Maintenance division has historically supported the holiday lighting program, and this purchase would come from that material budget. The purchase would not have a severe impact on the operational needs of the division.

ATTACHMENTS:

Original Mosca Design proposal to provide the decorations

MANAGER'S COMMENTS AND RECOMMENDATIONS: Manager recommends approval of this purchase



919/954-0200 1-800-332-6798 Fax 704-348-0945

CUSTOMER:

Town of Waynesville
P.O. Box 100
Waynesville N.C. 28786

SHIP TO:

FINANCED

[illegible][illegible]

REPRESENTATIVE

REPRESENTATIVE

DATE 11-29-16

ENCLOSED CHECK FOR \$

When order is firm, customer will please sign above and return white copy to authorized representative.

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: March 28, 2017

SUBJECT: Request approval of design for Hazelwood Parking Lot

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 9-E
Department: Public Services
Contact: Preston Gregg, David Foster, Daryl Hannah
Presenter: Preston Gregg, Town Engineer and David Foster, Public Services Director

BRIEF SUMMARY: Present board with Hazelwood Parking Lot Plan. Specifically, present various restroom locations within parking lot and discuss / show exterior finish options.

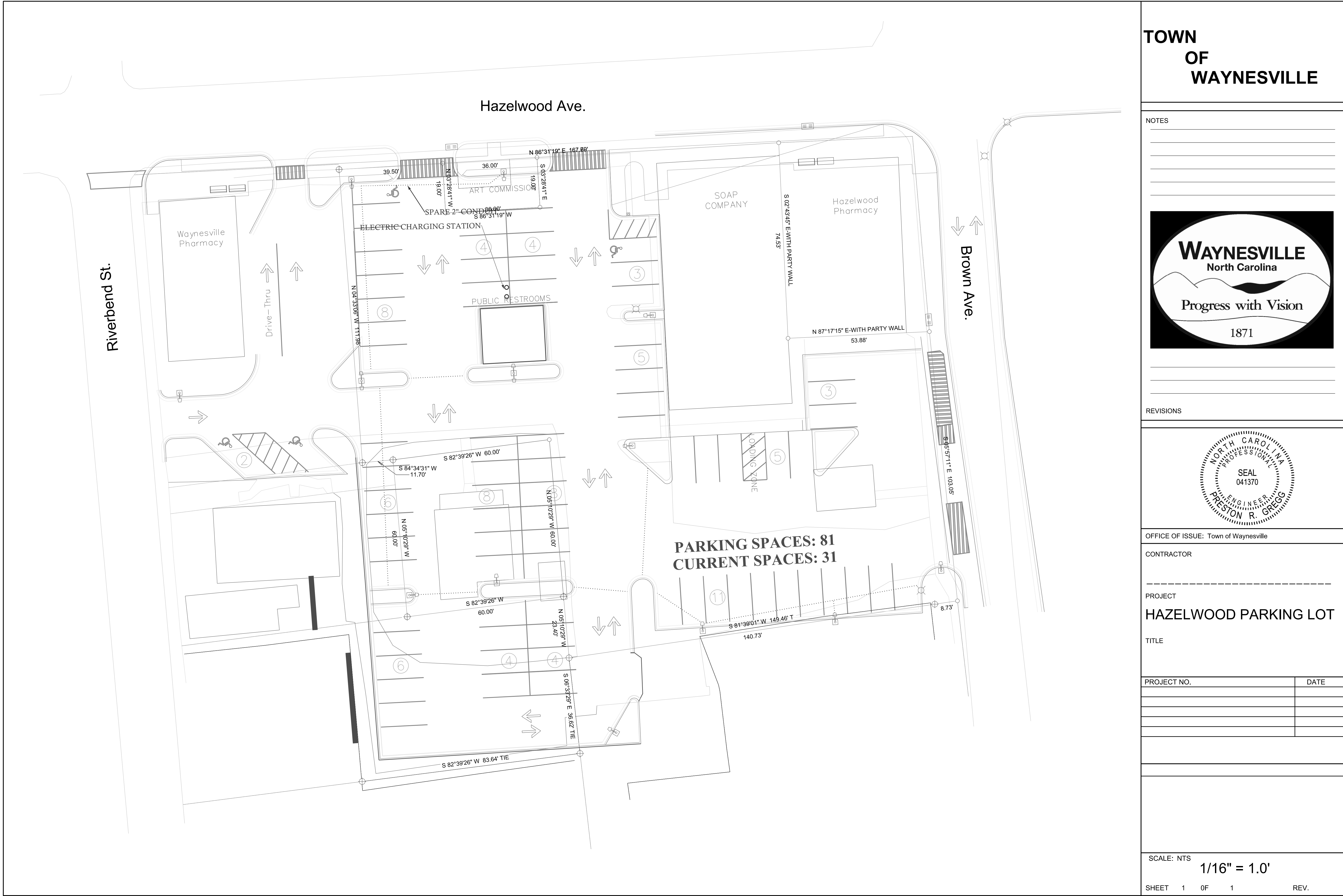
MOTION FOR CONSIDERATION: To approve the design for the Hazelwood Parking Area including location of restroom facilities, exterior finish details and construction phasing per board recommendation.

FUNDING SOURCE/IMPACT: This project is included in the capital projects for the current and next fiscal years.

ATTACHMENTS:

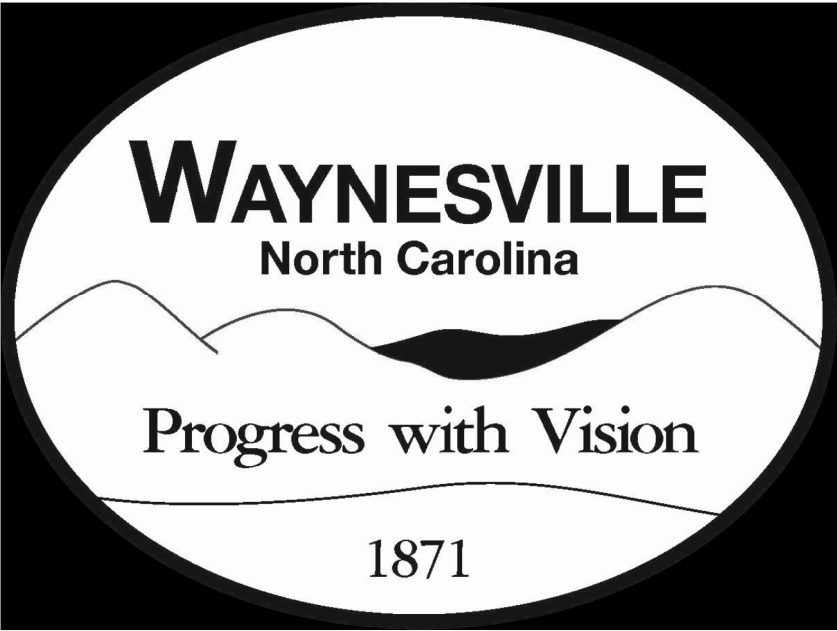
- Hazelwood Parking Plan 1, 2, 3, 4. Phasing Plan.

MANAGER'S COMMENTS AND RECOMMENDATIONS: Recommend approval of plan of the board's choosing

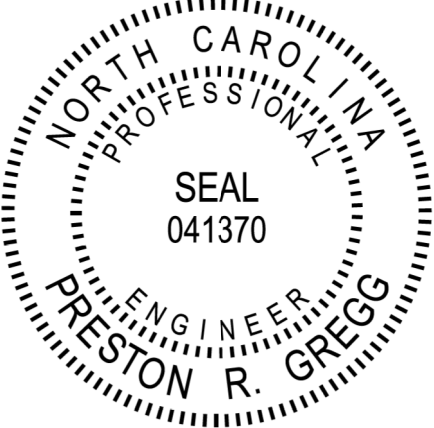


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PROJECT

HAZELWOOD PARKING LOT

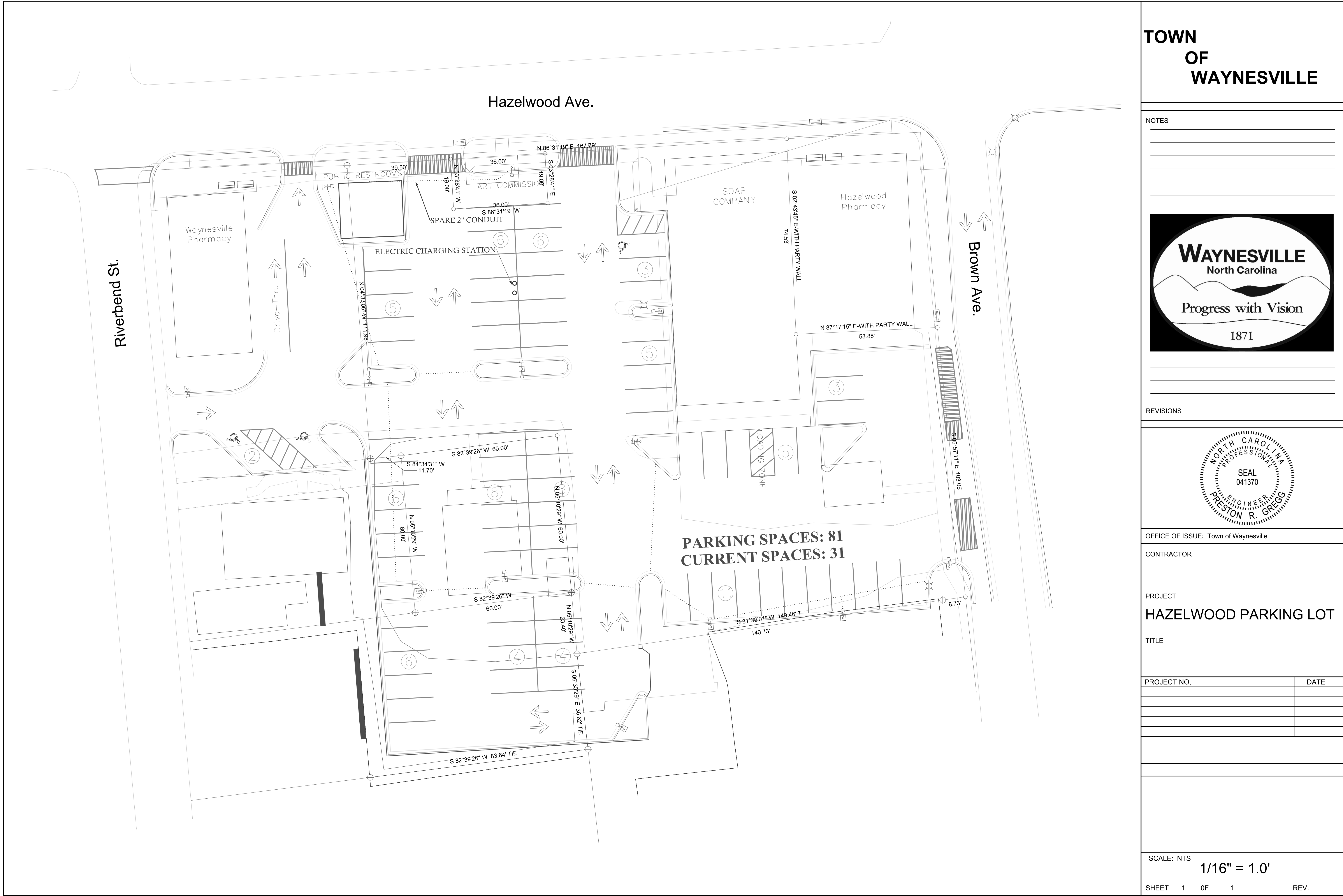
TITLE

PROJECT NO.	DATE

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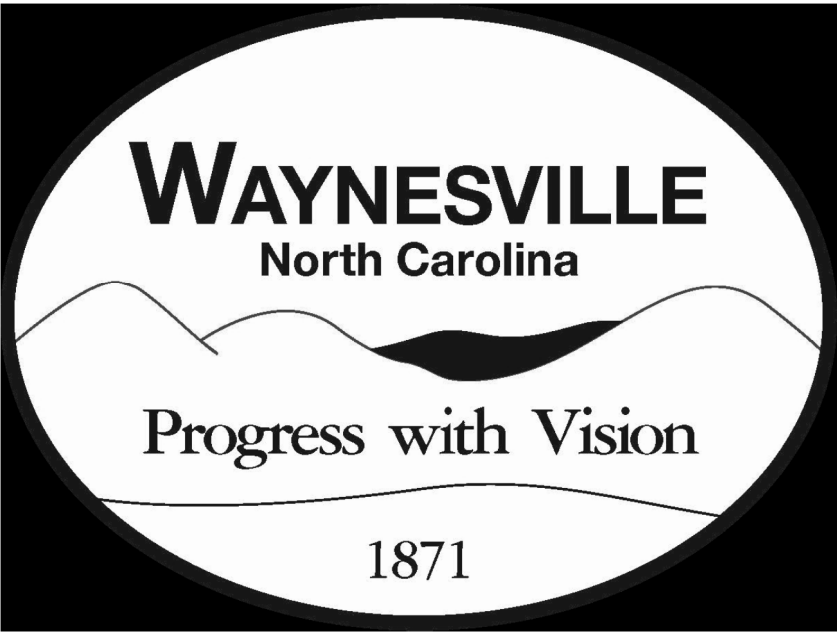
1/16" = 1.0'

SHEET 1 OF 1 REV.

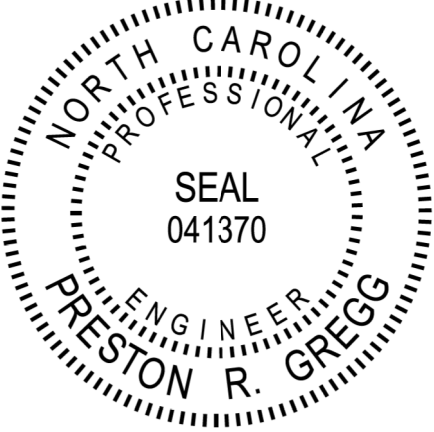


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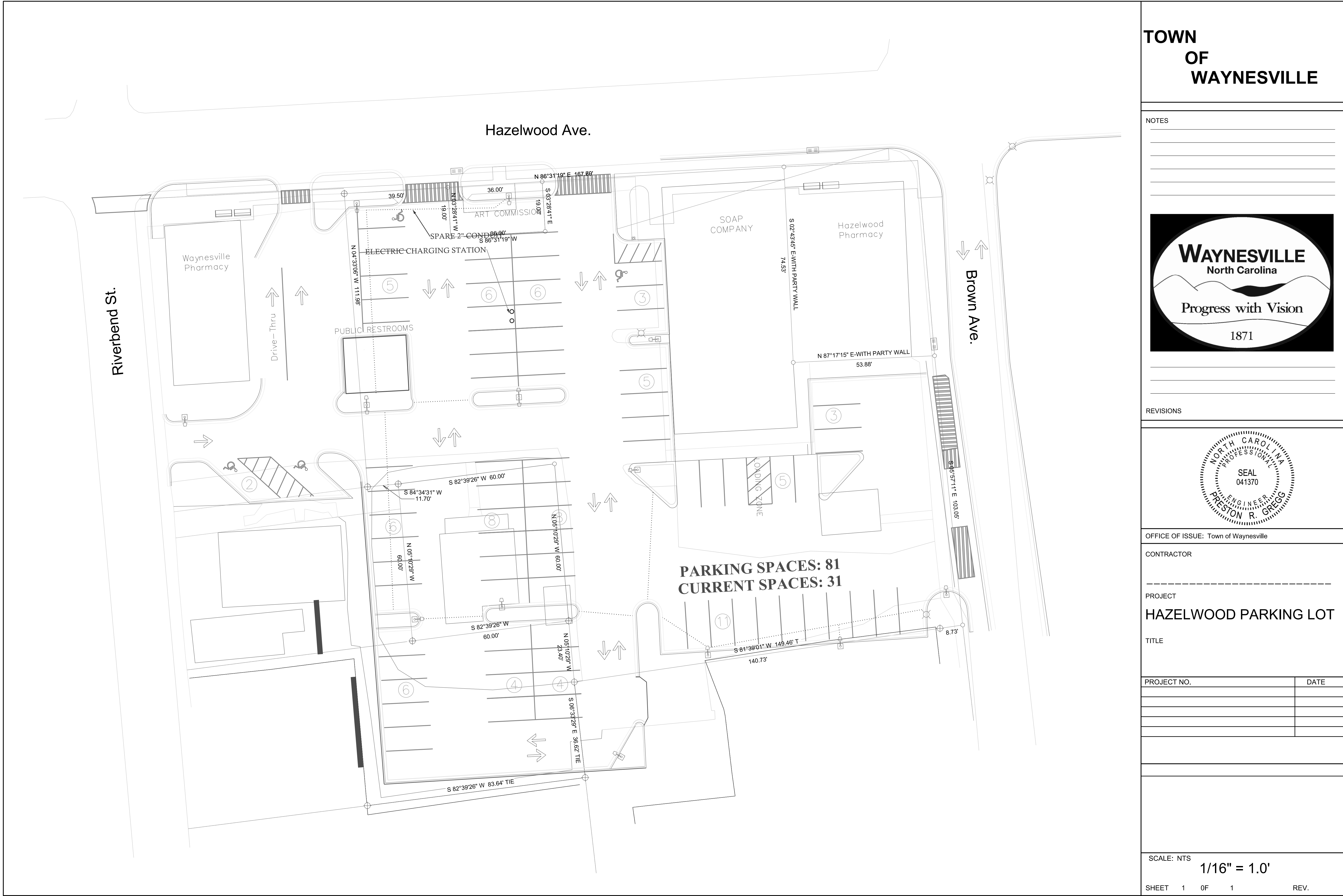
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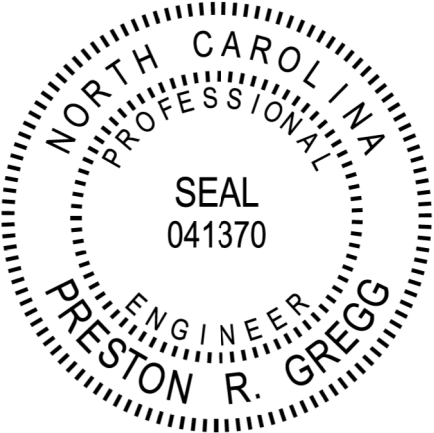


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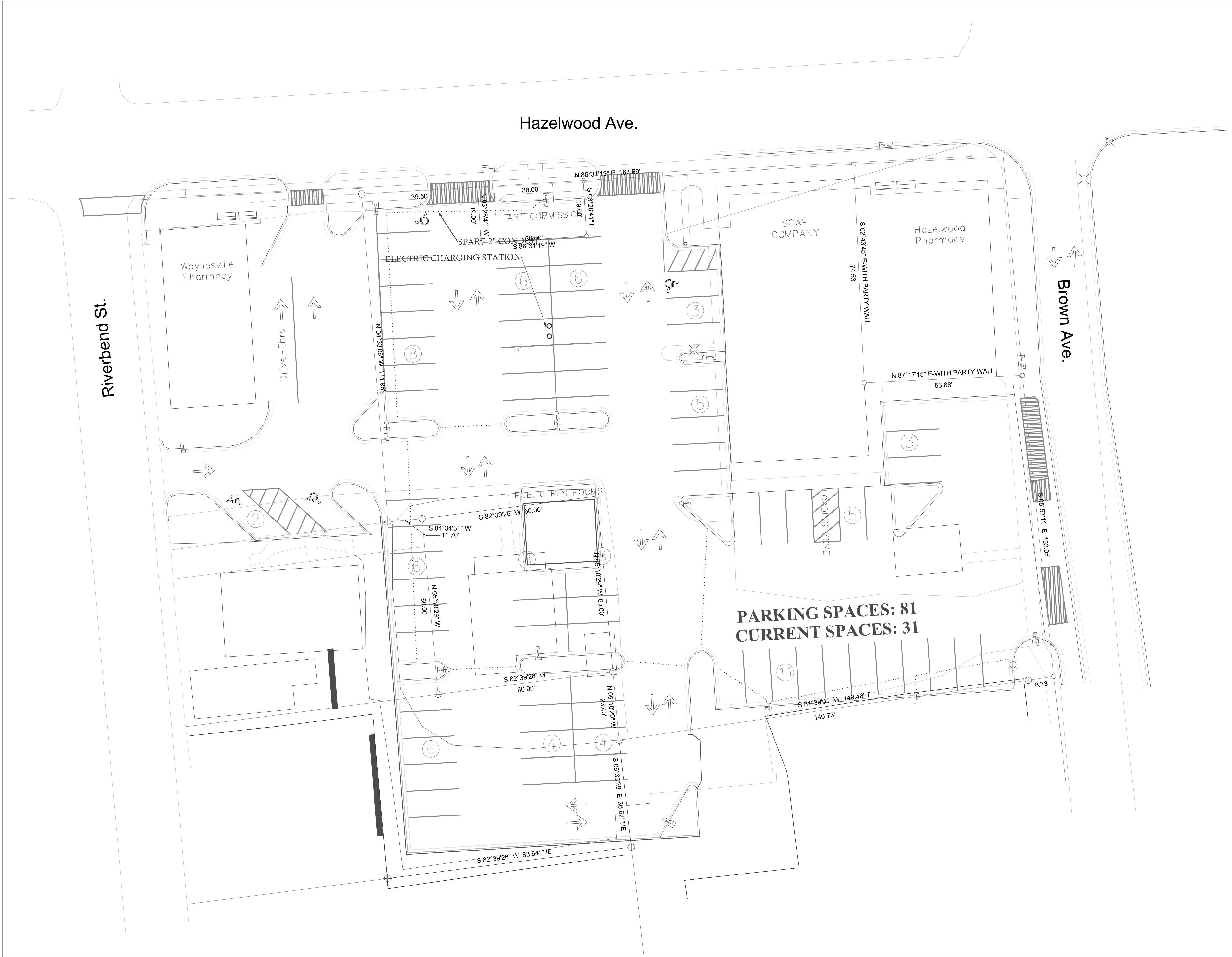
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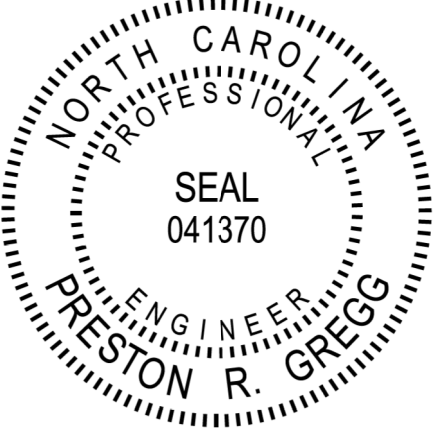


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