



Town of Waynesville, NC

Town Council Regular Meeting

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

Date: April 23rd, 2024 Time: 6:00 p.m.

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(828) 452-2491 cpoolton@waynesvillenc.gov

A. CALL TO ORDER - Mayor Gary Caldwell

1. Welcome/Calendar/Announcements

B. PUBLIC COMMENT

C. ADDITIONS OR DELETIONS TO THE AGENDA

D. CONSENT AGENDA

All items below are routine by the Town Council and will be enacted by one motion. There will be no separate discussion on these items unless a Councilmember so requests. In which event, the item will be removed from the Consent Agenda and considered with other items listed in the Regular Agenda.

2.
 - a. April 9, 2024 Regular Scheduled Meeting Minutes
 - b. Pigeon River Fund Grant (Fishing access area)
 - c. Call for a Public Hearing for May 14, 2024 to consider a text amendment related to general corrections and updates, including protest petitions, tree preservation, and definition of townhomes
 - d. Amend the capital projects fund for the Walnut Street/Russ Avenue Improvements
 - e. Call for a Public Hearing for May 14, 2024 to consider amendments to the Town Charter and Code of Ordinances to reflect the change in the governing body's name from "Board of Aldermen" to "Town Council" and adopt Resolution of Intent.
 - f. Call for Public Hearing on the 2024-25 Operating and Capital budget for 6:00 pm on Tuesday, May 28, 2024
 - g. Appointment of Trey Peterson to the Waynesville Recreation Advisory Commission
 - i. Hazelwood Hot Summer Nights Special Event Permit
 - j. Return of the Gateway Arch Special Event Permit

Motion: To approve the consent agenda as presented.

E. PRESENTATION

3. Final Mural Concept for the Pigeon Community Multicultural Development Center (PCMDC)
 - Jesse Fowler, Assistant Town Manager

Motion: *Motion to approve Kristy McCarthy’s final concept for the Pigeon Community Multicultural Development Center and to move forward with the mural installation.*

F. PROCLAMATIONS

4. Child Abuse Prevention Month 2024
 - Mayor Gary Caldwell
5. Sexual Assault Awareness Month 2024
 - Mayor Gary Caldwell

G. NEW BUSINESS

6. Removal of Waynesville Housing Authority Board Member
 - Belinda Kahl, WHA Executive Director and Brian Cagle, Board Chairman

Motion: *To remove Michael Loomis from his seat on the Waynesville Housing Authority.*

7. Request to apply for “COPS” grant.
 - Police Chief David Adams

Motion: *To approve the request to apply for “COPS” grant.*

8. Amendment to the Code of Ordinances regarding the time lawn maintenance equipment may be used within the Town limits.
 - Rob Hites, Town Manager

Motion: *Approve the amendment.*

H. COMMUNICATION FROM STAFF

7. Manager’s Report
 - Town Manager, Rob Hites
8. Town Attorney Report
 - Town Attorney, Martha Bradley

I. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

J. ADJOURN



TOWN OF WAYNESVILLE

PO Box 100
 16 South Main Street
 Waynesville, NC 28786
 Phone (828) 452-2491 • Fax (828) 456-2000
www.waynesvillenc.gov

CALENDAR

April 2024

ALL COUNCIL MEETINGS TO START AT 6:00 PM IN THE BOARD ROOM LOCATED
 AT 9 SOUTH MAIN STREET UNLESS OTHERWISE NOTED

2024	
Sat, May 11	Whole Bloomin Thing Festival-Frog Level
Tues. May 14	Town Council Meeting – Regular Session
Mon. May 27	Town Offices Closed-Memorial Day
Tues. May 28	Town Council Meeting – Regular Session
Tues. June 11	Town Council Meeting – Regular Session
Fri. June 14th	Mountain Street Dance 4-6pm
Tues. June 25	Town Council Meeting – Regular Session
Thurs. July 4	Town Offices Closed-Independence Day & Stars and Stripes Kids Parade 10am-3pm
Tues, July 9	Town Council Meeting – Regular Session
Fri. July 12 th	Mountain Street Dance 4-6pm
Tues. July 23	Town Council Meeting – Regular Session
Fri. August 9 th	Mountain Street Dance 4-6pm
Tues. August 13	Town Council Meeting – Regular Session
Tues, August 27	Town Council Meeting – Regular Session
Mon Sept. 2	Town Offices Closed-Labor Day
Tues, September 10	Town Council Meeting – Regular Session
Tues. September 24	Town Council Meeting – Regular Session
Tues. October 8	Town Council Meeting – Regular Session
Sat. October 12	Church Street Art and Craft Show 10am-5pm
Tues. October 22	Town Council Meeting – Regular Session
Thurs. October 31 st	Treats on the Street 5-7pm
Mon November 11	Town Offices Closed-Veteran’s Day
Tues. November 12	Town Council Meeting – Regular Session
Thurs. & Fri. November 28 & 29	Town Offices Closed-Thanksgiving
Sat. November 30 th	Christmas Tree Lighting 6-7pm
Mon. December 2 nd	Waynesville Christmas Parade 4-6pm
Tues. December 10	Town Council Meeting – Regular Session
Sat. December 14	A Smoky Mountain Christmas 6-9pm

Tues, Wed, Thurs December 24, 25, and 26	Town Offices Closed-Christmas
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Board and Commission Meetings – April 2024

ABC Board	ABC Office – 52 Dayco Drive	April 16th 3 rd Tuesday 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	CANCELLED 1 st Tuesday 5:30 PM
Cemetery Commission	Public Services Building	January, March, July, and October 3 rd Tuesday 2:00 PM
Downtown Waynesville Commission	Municipal Building – 16 South Main Street	April 16th 3 rd Tuesday 8:30 AM
Environmental Sustainability Board	Municipal Building-16 South Main Street	April 4th and 18th 1 st and 3 rd Thursdays 4:30pm
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 3rd 1 st Wednesday 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	April 15th 3 rd Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	April 11th 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	April 15th 3 rd Monday 5:30 PM
Waynesville Housing Authority	Main Office-48 Chestnut Park Drive	April 17th 3 rd Wednesday 9:00 AM

MINUTES OF THE TOWN OF WAYNESVILLE TOWN COUNCIL
Regular Meeting
April 9, 2024

THE WAYNESVILLE TOWN COUNCIL held a regular meeting on Tuesday, April 9, 2024, at 6:00 pm in the Town Hall Board Room located at 9 South Main Street Waynesville, NC.

A. CALL TO ORDER

Mayor Gary Caldwell called the meeting to order at 6:01 pm with the following members present:

Mayor Gary Caldwell
Mayor Pro Tempore Chuck Dickson
Councilmember Jon Feichter
Councilmember Anthony Sutton
Councilmember Julia Freeman

The following staff members were present:

Rob Hites, Town Manager
Jesse Fowler, Assistant Town Manager
Town Attorney Martha Bradley
Elizabeth Teague, Director of Development
Olga Grooman, Land Use Administrator
Misty Hagood, Finance Director
Sharon Agostini, Tax Collector
Police Chief David Adams
Julie Grasty, Asset Services Manager
Page McCurry, Human Resources Director
Luke Kinsland, Recreation Director

Members of the Media:

Paul Nielson, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and announced that the next Town Council meeting will be held on April 17th for the budget meeting and the next regular meeting will be Mountain Heritage Market will be April 20th on Main Street 10am-6pm.

B. PUBLIC COMMENT

Candace Hladik- Ms. Hladik said she lives across from the Haywood Hospital, and she is in support of the historic designation.

Blake Yoder- Mr. Yoder said he lives in town limits and owns a business in Frog Level. He said that the vacant and run down buildings in Frog Level are taking away from its “curb appeal”. He said that the pedestrian light at the intersection of Commerce and Depot has been wrecked for the majority of the year. He said the cross walk has faded and is challenging to see. He said these two things hurt the perception of Frog Level and contribute to a dangerous pedestrian environment.

C. ADDITIONS OR DELETIONS TO THE AGENDA

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to change item #2C on the consent agenda to read, “A call for Public Hearing for May 23, 2024 to consider a Longview Subdivision Conditional District Map Amendment (Rezoning) Application, sections 2.7 and 15.15 of the Land Development Standards (LDS)” at the request of the applicant. The motion passed unanimously.

D. CONSENT AGENDA

All items below are routine by the Town Council and will be enacted by one motion. There will be no separate discussion on these items unless a Councilmember so requests. In which event, the item will be removed from the Consent Agenda and considered with other items listed in the Regular Agenda.

2.
 - a. March 26, 2024 Regular Scheduled Meeting Minutes
 - b. Approve the Police Department Block Grant budget amendment
 - c. Call for a Public Hearing for May 14, 2024 to consider a Longview Subdivision Conditional District Map Amendment (Rezoning) Application, sections 2.7 and 15.15 of the Land Development Standards (LDS).
 - d. Approve the SOAR Eagle Special Event Permit
 - e. Approve the Gateway to the Smokies Half Marathon/Mighty Four Miler to Benefit Riley Howell Foundation Fund Special Event Permit
 - f. Approve the Steppin’ Into Spring Special Event Permit

Councilmember Feichter requested clarification on the motion made on the Greenview Subdivision Conditional District Map Amendment (Rezoning) Application, sections 2.7 and 15.15 of the Land Development Standards (LDS) public hearing, found in the March 26th meeting minutes. He thought they wanted to add in the motion a specific stretch of sidewalk beginning at the entrance of the club extending up Longview. Ms. Teague said that staff did want to prioritize that stretch of Longview. Councilmember Feichter asked if the staff recommendation is to prioritize specific stretch for the sidewalk, is stating “staff recommendation” sufficient for the motion.

A motion was made by Councilmember Feichter, seconded by Councilmember Dickson, to amend the March 26th meeting minutes to reflect in the “Public Hearing to consider a Greenview Subdivision Conditional District Map Amendment (Rezoning) Application, sections 2.7 and 15.15 of the Land Development Standards (LDS)” motion, that “the developer will pay payment-in-lieu for sidewalk construction, contingent that it be with staff recommendation, with priority of the sidewalk construction to begin at the country club entrance and alongside Longview. The motion passed unanimously.

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

E. PRESENTATIONS

3. Presentation on program of work for the Haywood County TDA
 - Corrina Ruffieux, TDA Director

Ms. Ruffieux presented the Haywood County Tourism and Development Authority’s Annual Report. She said that Tourism gives back to the community, making it a better place to live. She said in 2023, the TDA was able to invest in 25 capital projects in the amount of \$436,840 and 22 marketing initiatives and events totaling in \$333,904. Ms. Ruffieux said the TDA’s main role is to marketing and communications for the County. She said social media engagement has increased. She reported that 79% of visitors are from out of state and 42% of every dollar spent in the county comes from visitors.

F. PUBLIC HEARINGS

4. Public Hearing to consider 486 East Marshall Street, known as the Historic Haywood County Hospital, PIN 8615-79-8480, to April 9, 2024.
 - Elizabeth Teague, Development Director

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to open the public hearing at 6:30pm. The motion passed unanimously.

Development Director Elizabeth Teague reported that the local landmark program is a program of the State Historic Office and the Town of Waynesville. She said it recognizes historic properties and works to preserve them. She said the he Haywood Hospital at 486 East Marshall Street was listed in the National Register on June 18, 2018 and after a multi-year renovation process, the Hospital was converted into the Brookmont Lofts Apartments and issued a Certificate of Occupancy as multi-family apartments on May 24, 2022. Ms. Teague said that at their January 3 and February 7, 2024 meetings, the Waynesville Historic Commission heard and considered a request from the Brookmont Lofts, LLC to be considered for a Local Landmark, and recommend to Council that this property be designated in accordance with LDS Section 15.11. She added that both the Waynesville HPC and the State confirm that the documentation provided, the historic elements of the property, and the efforts of the owners to restore and maintain those elements, justify the designation as a

local landmark and the tax benefits and demolition limitations associated with that designation. Ms. Teague reported that the applicant has provided adequate documentation for the HPC and the Council to find that this property meets the criteria for designation as a local landmark because:

- 1) the hospital building and portion of the grounds are already on the National Register of Historic Places,
- 2) the applicant has provided documentation showing that the renovation and rehabilitation of the property maintains the historic integrity of the original architecture in a way that will preserve the structure even as it has converted its use to a multifamily residential facility, and
- 3) the State Historic Preservation Office confirms its support of the application; and
- 4) the applicant has made a significant investment into the rehabilitation of the property and will continue to maintain it.

Ms. Teague said the designation of a Local Landmark provides an incentive for property owners to restore and maintain historic structures and that the Brookmont Lofts project is a good example of re-investment and re-use of an historic structure.

John Stiltner, one of the applicants, said he is in support of the landmark designation. He said he appreciates the town and community support. Councilmember Feichter thanked Mr. Stiltner for bringing the building back to life.

Jack Sarai, another applicant, said it was a tremendous honor to work with everyone in Waynesville. He said that renovation has provided much needed housing for seniors.

Alex McKay, Chairman of the Waynesville Historic Preservation Commission, thanked the applicants for the incredible work they've done to the building.

Candace Hladik, a nearby resident, said they did a beautiful job and seems to bring the community together.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to close the public hearing at 6:45pm. The motion passed unanimously.

A motion was made by Councilmember Freeman, seconded by Councilmember Feichter, to adopt the attached ordinance to designate Brookmont Lofts, and the property at 486 Marshall Street, PIN 8615-79-8480, as a Local Landmark, effective April 9, 2024. The motion passed unanimously.

G. NEW BUSINESS

5. Fire Department Part-Time Budget Amendment
 - Joey Webb Sr., Fire Chief

Fire Chief Joey Webb reported that the part-time budget was decreased the previous two years due to not enough part-time staff to fill open shifts. He said that staffing has increased and they are now able to fill all open shifts. He said the department is requesting enough funding to staff previously approved shifts (two

positions, 7am-7pm, 7 days a week). Chief Webb said it's especially important as summer approaches and they attempt to cover the north side of the district around the Russ Avenue road-construction.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to approve moving amending the fire department part-time budget in the amount of \$45,000 to be taken from the fund balance. The motion passed unanimously.

6. Downtown Waynesville Full Fiscal Campaign Proposal

- Beth Gilmore, DWC Director

DWC Director Beth Gilmore reported that the DWC would like to contract with Kanipe Creative to develop a 12-month marketing campaign to drive the "Appalachian True" brand and create and deliver an archive of content for marketing and promotions, website and social media. She said the ultimate goal is to increase awareness about downtown Waynesville, attract guests and residents to spend more time downtown and drive consumer spending. Ms. Gilmore said in the past, marketing for events has been more random, so the DWC would like to be more strategic moving forward. She said Kanipe has also developed the DWC website, which would help with brand consistency if the DWC moves forward with this contract. She presented Kanipe's portfolio to Town Council.

Councilmember Sutton asked how much the project will cost. Ms. Gilmore replied \$38,000 for a 12-month campaign. She said the DWC would like to spend up to \$16,000 of funds remaining in their current budget for "other advertising" toward the Kanipe Creative proposal and remaining funds will come from the FY 2024-25 budget for "other advertising".

Councilmember Feichter said this contract is much needed and provides a more thoughtful approach to marketing for the DWC. Councilmember Freeman agreed.

A motion was made by Councilmember Freeman, seconded by Councilmember Feichter approve the Full Fiscal Campaign Proposal by Kanipe Creative. The motion passed unanimously.

H. OLD BUSINESS

7. Increase in budget for capital purchase

- Jeff Stines, Public Services Director

Public Services Director Jeff Stines reported that this was an approved item budgeted for this fiscal year for a VAC ALL truck. He said the truck will be able to clean leaves and debris from storm basins before they reach streams, it can vacuum clogs out of sewers when the jet truck is not suitable, and its pump can aid the crews in any place a high-power vacuum may be of benefit. Mr. Stines said the original quote was for \$475,000. He said the price has since increased by \$30,450.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to approve the increase in funds to purchase the Vac All vehicle. The motion passed unanimously.

8. Project Budget Amendment for ARP funds

- Rob Hites, Town Manager

Town Manager Rob Hites reported that the Town established a project budget for its American Rescue Plan (ARP) in 2021 and they are moving toward the end of the program and all funds must be obligated by June 30, 2024. Mr. Hites said some projects were under budget or cannot be designed and under contract before the grant deadline, so staff has reviewed the remaining funds and recommends that the items underlined in yellow be purchased and installed before the end of the fiscal years. He said that several of the items can be purchased through these funds and thereby take pressure off the upcoming budget: electric riding lawnmower for the Recreation Department, the repair and capping of the tennis courts, the replacement of the HVAC unit that conditions the ½ of the second floor of the Town Hall and several pump and tank related repairs to the water plant.

Councilmember Dickson said the heat pump and electric lawn mower are eligible for federal tax elective pay. Ms. Hagood said she will look into it. Councilmember Sutton added that the town should get a rebate on those items.

A motion was made by Councilmember Sutton, seconded by Councilmember Feichter, to approve the ordinance that amends the ARP project ordinance. The motion passed unanimously.

Councilmember Dickson said the battery on them electric mower will last for eight hours.

I. COMMUNICATION FROM STAFF

9. Manager's Report

- Town Manager, Rob Hites

Nothing to report.

10. Town Attorney Report-Revisions to Charter & Code of Ordinances to reflect change in governing body's name

- Town Attorney, Martha Bradley

Town Attorney Bradley reported that Now that the governing board of the Town of Waynesville has changed its name to "Town Council" from "Board of Aldermen," the Town's Charter and Code of Ordinances should be updated to avoid confusion or misinterpretation. Redlined copies of the current ordinance are attached for your review. Revisions to the Town Charter are allowed pursuant to N.C.G.S. § 160A-102. The statute requires the Council to adopt a resolution of intent at the same time as a call for a public hearing to be held after 45 days from the date the resolution is adopted.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to place a resolution of intent and call for hearing to amend the Town’s Charter and Code of Ordinance to reflect the governing body’s correct title on the agenda for the April 23, 2024 meeting of the Town Council. The motion passed unanimously.

J. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

Mayor Gary Caldwell reported the Sutton property has had no changes but members of the family have pulled permits to begin demolition. Councilmember Sutton said the Cookout has pulled permits for their South Main location.

Councilmemeber Freeman said that April is National Sexual Assault Awareness and National Child Abuse month, so requested that at the next meeting Mayor Caldwell reads those proclamations at the next meeting.

Councilmember Dickson said he will be absent at the next regular meeting because he will be attending the State Energy Conference.

Town Attorney Bradley added that she prepared a lien form for the tax collector so she could register tax liens with the clerk of court. She said this will allow title collectors to easily access information on town properties that have taxes owed.

K. ADJOURN

A motion was made by Councilmember Sutton, seconded by Councilmember Feichter, to adjourn at 7:11pm. The motion passed unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Candace Poolton, Town Clerk

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: April 23, 2024**

SUBJECT: Pigeon River Fund Grant (Fishing access area)

AGENDA INFORMATION:

Agenda Location: Consent
Item Number:
Department: Parks and Recreation
Contact: Misty Hagood, Finance Director
Presenter: Misty Hagood, Finance Director

BRIEF SUMMARY: Funds for this project were received in fiscal year 22/23. I am requesting approval for a budget amendment to roll over the funds to this fiscal year to complete the project.

MOTION FOR CONSIDERATION: Approve the budget amendment as presented for the grant.

FUNDING SOURCE/IMPACT: Budget amendment of \$30,000

ATTACHMENTS:

Original Award Letter, HWA Project Letter

FINANCE DIRECTOR: _____


MISTY HAGOOD

4/17/24

MANAGER'S COMMENTS AND RECOMMENDATIONS:



Board of Directors

April 26, 2023

J. Chris Smith
Chair

Joanne Badr Morgan
Vice-Chair & Secretary

Himanshu Karvir
Treasurer

Caroline M. Avery
Natalie N. Bailey
Ellen O. Carr
Francisco Castelblanco
William Clarke
Yolanda Fair
Michael Fields
Constance M. Haire
Susan Jenkins
Harris M. Livingstain
Jean McLaughlin
Heather P. Norton
Scott Shealy
Sharon Fouts Taylor
Carter B. Webb
Juanita Wilson

Elizabeth Brazas
President

Mr. Robert Hites Jr.
Town of Waynesville
P.O. Box 100
Waynesville, NC 28786

Dear Mr. Hites:

It gives us great pleasure to offer the Town of Waynesville (“Grantee”) a grant of **\$30,000.00** for the project entitled “Richland Creek Park and Greenway Access Areas” to be used during the period beginning on the date of this letter and ending on 12/15/23.

This grant offer from the **Pigeon River Fund** is made subject to Grantee’s acceptance of certain conditions, which are outlined below. **Please note that by cashing the enclosed check, Grantee is agreeing to the terms of this grant.**

General conditions of this grant are as follows:

- 1) This grant is to be used only for the purpose described in the grant request and in accordance with the budget submitted. The funded program is subject to modification only with the Pigeon River Fund’s prior written approval. Any portion of the grant not used for the purpose for which the grant has been approved must be returned to the Fund.
- 2) Grantee agrees to complete an End-of-Grant report in our online grant system (**due 1/5/24**) that specifies tracking and measurement efforts to be carried out in order to determine the impact of the funded activities.
- 3) Financial records on the expenditure of the grant will be maintained and made available to Pigeon River Fund representatives upon request.

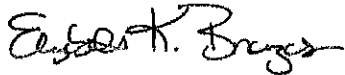
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- 4) In accepting this grant, Grantee agrees to indemnify, defend and hold harmless the Pigeon River Fund and its representatives from any liability, loss, cost, injury, damage or other expense, including without limitation attorney and other professional fees that may be incurred by the Fund or claimed by any third person against the Fund as a result of the Fund's financial support of the Project or any action or non-action taken in connection with the Project.
- 5) Charitable grants approved by The Community Foundation are reported to the public through the Foundation's annual report and periodic listing of grants. Grantee organizations are strongly encouraged to make public announcements acknowledging The Community Foundation as grantor. See instructions for "Communicating Your Grant" on our website at <https://cfwnc.org/grantseekers/communicating-your-grant>. A copy of any announcements and published references to the grant should be sent to the Foundation for our records.
- 6) The grantee, its members and representatives, agree to give the Fund full rights and any necessary permission to take, record, process and distribute visual and auditory impressions of projects supported by the Fund, and people working with those projects. If any further documents are needed to make this agreement effective, Grantee will freely provide or assist in obtaining those documents.
- 7) The Pigeon River Fund retains the right to revoke funding if it is determined that Grantee has not performed in accordance with this agreement and program and budget.

Thank you for the good work you are doing. If you have any questions or concerns about this grant award, please contact your program officer, Tara Scholtz, for assistance. The Pigeon River Fund is delighted to assist you and the region's citizens through this grant. Our good wishes for success with your project.

Sincerely,



Elizabeth K. Brazas, President
The Community Foundation of WNC

Rob Hites, Town Manager
Town of Waynesville
PO Box 100
Waynesville, NC 28786

April 15, 2024

Richland Creek Access Project

Haywood Waterways Association (HWA) is pleased to submit this proposal to assist the Town of Waynesville (TOW) in implementing the Richland Creek Access along Richland Creek at Vance St Park.

The tasks are outlined below. Haywood Waterways would be responsible for managing the project which includes a project conceptual design and native plant list, coordination with contractors to clear and grade two areas adjacent to the creek with a footpath connecting the two areas and a nearby second footpath for fishing access. Following the clearing and grading of the site, HWA will plant native species to establish a riparian buffer zone along the creek, install informative and educational signage, assist the town with grant reporting, manage volunteer litter clean-up and planting events, and post project outreach and promotion.

The town will install the surface medium within the two cleared areas and along the footpath established between the two cleared areas and the second path leading down to the creek. The town will also install a natural border along the cleared areas.

Activities and Estimated Costs:

- **Construction: \$15,000**
Clear the two selected areas, the footpath connecting the two areas, and the second footpath leading down to the creek. HWA will oversee the clearing to ensure riparian buffer protection along Richland Creek. The selected contractor will then grade the site to ensure proper drainage of the site and nearby walking track.
- **Invasive Plant Removal: \$3,000**
Tasks include conducting inventory of invasive species at project site and surrounding riparian buffer. Clear site up to riparian buffer and post clearing, the manual removal of invasives to prep the site for grading.
- **Plant Native Species: \$4,000**
Identify, map, and plant native species in the project site to ensure the riparian buffer remains intact through time and provides bank stabilization against future high water and flood events. This will include livestaking, hard shrubs, young trees, and saplings. A fall planting will occur to replace any plants that failed to take root.
- **Informative and Educational Signage: \$3,000**
Tasks include designing and installing town approved signs designating the areas as picnic and fishing access spots within the park and one educational sign informing the public of the environmental features.
- **Project Design: \$1,500**
Conceptual design and plant inventory map of the project site.
- **Project Management and Reporting: \$3,000**
Tasks include selecting contractors for construction, overseeing construction, managing invasive removals and native plantings, project reporting, volunteer management, and post project outreach and promotion.

The total for this project will not exceed \$29,500 and work is scheduled to be completed before June 30, 2024. The grant reporting required for the grant funding will be submitted before June 30, 2024.

We thank you for this opportunity to offer our services. Please contact me any time if you have any questions. If you agree with this proposal, please sign and return the attached agreement page to preston@haywoodwaterways.org or our address listed below.

Sincerely,

Preston Jacobsen
Executive Director
Haywood Waterways Association
PO Box 389, Waynesville, NC 28786
828-476-4667
preston@haywoodwaterways.org

Cc:
Jesse Fowler, Administrative Services Director
Elizabeth Teague, Development Services Director
Jeff Steins, Director of Public Services
Eddie Caldwell, Finance Director

**Richland Creek Access Project
Agreement Form**

This agreement is made between the Town of Waynesville and the Haywood Waterways Association, Inc. This agreement will be active from April 15, 2024 and will continue in effect through September 30, 2024.

Haywood Waterways, in collaboration with the Town of Waynesville and outside experts, will determine the method, details, and means of performing each task listed in the proposal. Haywood Waterways and the Town of Waynesville understand not all tasks may be completed depending on available resources.

Haywood Waterways agrees to submit monthly invoices over the course of the agreement term, with the final invoice submitted no later than September 23, 2024. The town agrees to pay Haywood Waterways within thirty days after each invoice is submitted.

Haywood Waterways and the Town of Waynesville agree to hold each other harmless and indemnify for all claims of personal injury, illness, disability or death arising out of and in the course of this agreement.

As representative for the Town of Waynesville, I have read, understand and approve of the tasks outlined in the proposal and the above terms.

Signatures:

Town of Waynesville Representative

Date

Haywood Waterways Association, Inc.:

Preston Jacobsen
Executive Director

Date

Ordinance No. O-23-24

Amendment No. 23 to the 2023-2024 Budget Ordinance

WHEREAS, the Council of the Town of Waynesville, wishes to amend the 2023-2024 Budget Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Waynesville that the 2023-2024 Budget Ordinance be amended as follows:

General Fund:

Increase the following revenues:

Fund Balance	\$30,000
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Increase the following appropriations:

Parks & Recreation	\$30,000
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Adopted this 23rd day of April 2024.

Town of Waynesville

Gary Caldwell
Mayor

Attest:

Candace Poolton
Town Clerk

Approved As To Form:

Martha Sharpe Bradley
Town Attorney

**TOWN OF WAYNESVILLE COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: April 23, 2024**

SUBJECT: Call for a Public Hearing for May 14, 2024 to consider a text amendment related to general corrections and updates, including protest petitions, tree preservation, and definition of townhomes

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Development Services
Contact: Olga Grooman
Presenter: Olga Grooman

BRIEF SUMMARY:

The proposed text amendments are a series of corrections and updates to the Land Development Standards. These include revisions to outdated sections and clarification of the LDS per recommendations of our Town Attorney Martha Bradley pertaining to 160D, and a revision to the definition of a “townhome,” to align with the current North Carolina Building Code definition, and to update the definition of tree caliper to be more precise and useful.

Staff keeps a running list of grammatical and outdated reference errors that come up periodically as they are noticed in the course of planning and zoning applications, Municode officials, or the public. These have also been included in our continual pursuit of ordinance improvement.

Finally, staff recommends enhancing the tree protection ordinance that seeks to preserve existing trees within new development. Section 8.3 of the Land development Standards provides a landscape credit to preserve existing trees and states that “the preservation of existing trees is strongly encouraged,” but does not provide a specific requirement or threshold. The proposed ordinance would specify that 5% of existing trees must be preserved and can count towards existing buffer and/or landscaping requirements. This would force preservation of existing trees as part of compliance with Chapter 8 “Tree protection, Landscaping and Screening.”

MOTIONS FOR CONSIDERATION:

1. Motion to call for a Public Hearing for May 14, 2024 to consider a text amendment related to general corrections and updates, as recommended by the Planning Board.

FUNDING SOURCE/IMPACT:

N/A

ATTACHMENTS:

Draft Ordinance.

MANAGER’S COMMENTS AND RECOMMENDATIONS:

This is a call for public hearing only.

DRAFT FOR COUNCIL CONSIDERATION

ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE TEXT OF THE
TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS**

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and

WHEREAS, the Town of Waynesville Planning Board has reviewed the proposed text amendments to the Land Development Standards (LDS) and recommends that they are consistent with the 2035 Comprehensive Plan and that they are reasonable and in the public interest because:

- The Town of Waynesville will continue to “promote smart growth in land use planning and zoning” (Goal #1);
- The proposed text amendment will “promote conservation design to preserve important natural resources” (Goal #1);
- The proposed text amendment will “reinforce the unique character of Waynesville” (Goal #1);
- The amendment will “protect and enhance water quality and forests” (Goal #3);
- The text amendment will help to “protect rural lands, iconic views, and mountain vistas” (Goal #3);
- The Town will maintain adequate legal authority through the most up-to-date ordinance.

WHEREAS, the Planning Board has reviewed and recommends the proposed text amendments for enactment by the Town Council; and

WHEREAS, the Town Council find this Ordinance is consistent with the Town’s 2035 Comprehensive Plan and that it is reasonable and in the public interest to “make decisions about resources and land use in accordance with North Carolina General Statutes.” and

WHEREAS, after notice duly given, a public hearing was held on April 15, 2024 at the regularly scheduled meeting of the Waynesville Planning Board, and on _____, 2024 at the regularly scheduled meeting of the Waynesville Town Council;

NOW, THEREFORE, BE IT ORDAINED BY THE WAYNESVILLE TOWN COUNCIL, MEETING IN REGULAR SESSION ON _____ AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Land Development Standards be amended as follows:

1. Amend Section 2.4 Dimensional Standards by District as follows:

2.4.1 Table of Dimensional Standards by Residential District.

*Table of Dimensional Standards by Residential District and Table of Dimensional Standards by Mixed-Use/Non-Residential District. Line 5c in both tables- Accessory Structure Setback, Other Standards. See Section 4.5.3 needs to be **See Section 4.5.***

2. Amend Section 8.3.1 Existing Vegetation as follows:

B. **Protection of Vegetation During Design:** The Town expects new development, through the protection of trees and existing vegetation, to be creative in design and placement of buildings, structures, parking and other impervious surfaces as to preserve natural features and to complement the existing topography ~~when practical~~. **Additionally, Major Subdivisions and Major Site Plans shall preserve 5% of the existing trees on site. Tree save areas with adequate protection measures from construction activities shall be shown on the landscape plan. Tree preservation can be counted towards the required buffers, screens, and/or street trees as specified in 8.3.1. C.**

C. **Landscape Credits:** The preservation of existing trees, where possible is strongly encouraged. In order to encourage such preservation, preserved trees may be credited towards compliance with the requirements of this section at the rate of:

- 2"—6" caliper tree = ~~1 tree~~ **2 trees**
- 7"—12" caliper tree = ~~2 trees~~ **4 trees**
- 13"—18" caliper tree = ~~3 trees~~ **5 trees**
- 19"—24" caliper tree = ~~4 trees~~ **6 trees**
- 25" + caliper tree = ~~5 trees~~ **7 trees**

3. Amend Section 8.4.1 Buffer Yards as follows:

B. **Additional Buffer Yard Requirements:** A type B Buffer Yard is required along the side and rear lot lines, not including road frontage, of new major subdivisions of ~~34~~ **15** or more units and special use permits in all districts, except where the above table has a stricter requirement or as part of a conservation subdivision.

4. Amend table in the LDS Section 9.8.3. D. Driveway Spacing (table) as follows:

*District Category column, Neighborhood Residential (~~UR~~) needs to be Neighborhood Residential (**NR**).*

5. Amend LDS Section 12.3.3 E. Variance Procedures as follows:

(b) Functionally dependent facilities if determined to meet the definition as stated in Section ~~17.4~~ **17.5**, provided provisions ...

(e) The necessity to the facility of a waterfront location as defined under Section ~~17.4~~ **17.5** as a functionally...

6. Amend LDS Section 15.14 Map and Text Amendments as follows:

15.14.2 Review By Planning Board.

- A. **Public Notification (Prior to Planning Board):** Level 1, 2, 3 and 4.
- B. **Neighborhood Meeting (15.3.7):** Optional.
- C. **Additional Public Notification for Large Scale Amendments:** If the land development map amendment directly affects more than fifty (50) properties, owned by at least fifty (50) different property owners the Town may elect to utilize a Level 6 notification. When this occurs, the town may use the expanded published notice provisions found in the North Carolina General Statutes at Section 160D-601 and ~~160D-602~~.
- D. **Review by Planning Board:** The Planning Board shall conduct a public hearing and receive public input on the proposed amendment and shall make recommendations to the ~~Board of Aldermen~~ **Town Council** regarding whether to approve or deny each proposed amendment within sixty-four (64) days of its first consideration on the matter.
 - 1. ~~Recommendation for Approval: If the Planning Board makes a favorable recommendation, the matter shall be scheduled a public hearing before the Board of Aldermen.~~
 - 2. ~~Recommendation for Denial: If the Planning Board makes a negative recommendation, the petitioner may, within thirty (30) days after written notification from the town clerk, request that a public hearing be held by the Board of Aldermen on the matter. This appeal process does not apply to amendments initiated by the Board of Aldermen or planning department. These amendments go immediately to the Board following a recommendation by the Planning Board.~~
- E. **Review by Town Council:** The Town Council shall conduct a public hearing and receive public input on the proposed amendment within a reasonable time following the public hearing before the Planning Board. If the Planning Board makes a negative recommendation, the petitioner may, within thirty (30) days after written notification of the Planning Board's decision and no less than twenty-four (24) hours prior to the public hearing scheduled before the Town Council, request a continuance of the Town Council hearing to revise the application to address matters raised by the Planning Board.

15.14.5 Plan Consistency.

In accordance with G.S. 160D-604(d); ~~160D-605(a)~~; ~~160D-701~~, all such amendments shall be made in accordance with the Comprehensive Land Use Plan

- 7. Amend Section 15.15 Conditional Districts (CD) as follows:

Conditional Districts (~~Section 2.6~~ **Section 2.7**) are districts with conditions voluntarily added ...

15.15.2 Formal Review.

~~C **Decisions:** Decisions by the Board of Commissioners shall be by majority vote, unless a valid Protest Petition in accordance with Section 15.14.3 has been filed, in which case, a three fourths majority vote of eligible members shall be required for approval.~~

C **Decisions: Decisions by the Town Council shall be by majority vote.**

- 8. Amend Section 17.3 Definitions, Use Type as follows:

~~**Dwelling Townhome.** Three or more attached dwelling units in which each unit has its own front and rear access to the outside, no unit is located over another unit, each unit is separated from any~~

~~other unit by one (1) or more vertical common fire resistant walls, and the land underneath each unit is titled to the unit.~~

Dwelling- Townhome. A single-family dwelling unit constructed in a group of two or more attached units separated by property lines in which each unit extends from foundation to roof and with a yard or public way on not less than two sides.

9. Amend definition to Section 17.4 Definitions, General as follows:

~~**Caliper.** A standard trunk diameter measurement for nursery grown trees taken 6 inches above the ground for up to and including 4 inch Caliper size, and 12 inches above the ground for larger sizes.~~

Caliper. The diameter measurement of a tree’s trunk taken six (6) inches above the ground for trees up to and including four (4) inches caliper size, and twelve (12) inches above the ground for trees exceeding four (4) inches caliper size.

ADOPTED this _____ Day of _____, 2024.

TOWN OF WAYNESVILLE

J. Gary Caldwell, Mayor

ATTEST:

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: April 23, 2024**

SUBJECT: Amend the capital projects fund for the Walnut Street/Russ Avenue Improvements

AGENDA INFORMATION:

Agenda Location: Consent
Item Number:
Department: Electric
Contact: Jeff Stines, Public Services Director
Rob Hites, Town Manager
Presenter: Rob Hites, Town Manager

BRIEF SUMMARY:

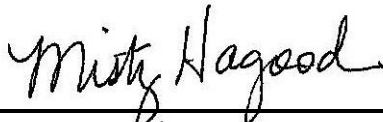
We are requesting to amend the capital project fund for the Walnut Street and Russ Avenue improvements since the contracts are in place and the lights have been ordered.

MOTION FOR CONSIDERATION:

1. Approval of the attached capital project ordinance amendment for the Walnut Street/Russ Avenue Improvements.

FUNDING SOURCE/IMPACT:

The Electric Fund will be impacted for transfers in FY24 and FY25. NCDOT will reimburse expenses for a portion of the project.



Misty Hagood, Finance Director

4/8/2024

Date

ATTACHMENTS:

1. Project Ordinance

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Ordinance No. O-21-24

Walnut Street/Russ Avenue Improvements Project Ordinance

WHEREAS, the Town Council of the Town of Waynesville wishes to amend the capital projects fund for the Walnut Street/Russ Avenue Improvements.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Waynesville that the following project ordinance is hereby amended:

Section 1. The following sources of resources are anticipated to be available to complete this project:

Revenues	
Transfer from Electric Fund	\$ 706,000
NCDOT Reimbursement	<u>1,000,000</u>
Total Revenues	\$ 1,706,000

Section 2. The following amounts are appropriated for expenditures of this project:

Expenditures	
Additional Lighting (reimb by NCDOT)	\$ 150,000
Historic District (reimb by NCDOT)	850,000
Russ to Howell Mill (Town pays)	<u>706,000</u>
Total Appropriations	\$1,706,000

Section 3. Funds may be advanced from the Electric Fund for the purpose of making payments due.

Section 4. The budget officer may approve transfers of appropriations, including transfers from the contingency, without prior approval of the Town Council. Any transfers of appropriation will be reported by the budget officer to the Town Council at their next regular meeting.

Section 5. This Fund will be abolished when all obligations to contractors and vendors are complete, and reimbursement has been received from NCDOT. Any resources remaining will be transferred to the Electric Fund.

Adopted this 23rd day of April, 2024.

Town of Waynesville

Gary Caldwell, Mayor

Attest:

Candace Poolton, Town Clerk

Approved As To Form:

Martha Sharpe Bradley
Town Attorney

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: April 9, 2024**

SUBJECT: Revisions to Charter & Code of Ordinances to reflect change in governing body's name

AGENDA INFORMATION:

Agenda Location: Consent Agenda
Item Number:
Department: Legal
Contact: Martha Sharpe Bradley
Presenter: **Martha Sharpe Bradley**

BRIEF SUMMARY: Now that the governing board of the Town of Waynesville has changed its name to "Town Council" from "Board of Aldermen," the Town's Charter and Code of Ordinances should be updated to avoid confusion or misinterpretation. Redlined copies of the current ordinance are attached for your review. Revisions to the Town Charter are allowed pursuant to N.C.G.S. § 160A-102. The statute requires the Council to adopt a resolution of intent at the same time as a call for a public hearing to be held after 45 days from the date the resolution is adopted.

MOTION FOR CONSIDERATION:

1. Motion to call for a Public Hearing for May 14, 2024 to consider amendments to the Town Charter and Code of Ordinances to reflect the change in the governing body's name from "Board of Aldermen" to "Town Council."

FUNDING SOURCE/IMPACT: Newspaper publication expenses

ATTACHMENTS:

1. Redlined Charter and Code of Ordinances reflecting revisions to be made

COMMENTS AND RECOMMENDATIONS: None.



Martha Sharpe Bradley
Town Attorney

Date: April 17, 2024

RESOLUTION OF INTENT TO CONSIDER AN ORDINANCE AMENDING THE
CHARTER OF THE TOWN OF WAYNESVILLE TO REVISE REFERENCES TO
REFLECT THE CURRENT NAME OF ITS GOVERNING BOARD

WHEREAS, the Town of Waynesville is an incorporated political subdivision of the State of North Carolina; and

WHEREAS, on April 11, 2023 the name of the governing board of the Town of Waynesville was changed by unanimous vote to Town Council in accordance with General Statute 160A-101(3).

WHEREAS, numerous references continued to exist throughout the Charter and Code of Ordinances to the former name of the governing board – the “Board of Aldermen” or the “Board” – creating for the potential of confusion or misinterpretation of those same sections of the Charter and Code of Ordinances.

WHEREAS, the Town Council deem it to be in the best interest of the public for its current name to be accurately reflected throughout the Charter and Code of Ordinances.

NOW THEREFORE, be it resolved by the Town Council, in accordance with General Statute 160A-102, a public hearing will be held on the above-mentioned charter amendments on May 14, 2024 at 6:00 PM or shortly thereafter in the Town of Waynesville Board Room located at 9 South Main Street, Waynesville, NC.

Adopted this the 23rd day of April 2024.

ATTEST:

Gary Caldwell, Mayor

Candace Poolton, Town Clerk

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date 4/23/2024**

SUBJECT Set date for Public Hearing on 2024-25 operating and capital budget

AGENDA INFORMATION:

Agenda Location: Consent
Item Number:
Department: Administration
Contact: Rob Hites
Presenter: Rob Hites

BRIEF SUMMARY : The Council received a presentation on the proposed 2024-25 budget at a special meeting on April 17, 2024. The Council continued the meeting to 4/25/24 in order to receive input from Department Heads regarding their most pressing capital requests. The staff will take that input and prepare a “proposed budget” for Council consideration at the May 14th meeting. The staff recommends that the Council set a public hearing for public input on the proposed budget at 6:00 pm on May 28,2024. Should the Council wish to conduct further work sessions, they could hold them between the 14th and 28th or after receiving citizen input after the public hearing on the 28th.

MOTION FOR CONSIDERATION: Set the date for the Public Hearing on the 2024-25 Operating and Capital budget for 6:00 pm on Tuesday, May 28, 2024.

FUNDING SOURCE/IMPACT: All Funds

ATTACHMENTS: None

MANAGER’S COMMENTS: See Above

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: April 23, 2024**

SUBJECT: Appointment of Trey Peterson to the Waynesville Recreation Advisory Commission

AGENDA INFORMATION

Agenda Location: Consent Agenda
Item Number:
Department: Administration
Contact: Jesse Fowler, Assistant Town Manager
Presenter: Jesse Fowler, Assistant Town Manager

BRIEF SUMMARY

The Waynesville Recreation Advisory Commission has one vacancy. If appointed, Mr. Peterson's term would end June 30th, 2027. Mr. Peterson lives within the town limits.

MOTIONS FOR CONSIDERATION

Motion to appoint Trey Peterson to the Waynesville Recreation Advisory Commission.

ATTACHMENTS:

MANAGER'S COMMENTS AND RECCOMENDATIONS



Application for Special Events Permit

I. General Information

EVENT NAME: Hazelwood Hot Summer Nights Cruise-In

EVENT DATE(S): May 25, June 22, July 20 / Rain Date: Sept. 28
 Note: If event is more than three days in duration, and not in the public right-of-way, you will also need a temporary event permit. Contact the Waynesville Police Dept. at 828-456-5363 for more information.

LOCATION: Hazelwood Ave (Business District)

IF THIS EVENT IS A PARADE OR ROAD RACE: Please provide a full route description and map

SET-UP TIME (START/END): 5:00 - 6:00 pm

EVENT HOURS: 6:00 pm - 9:00 pm

DISMANTLE HOURS (START/END): 9:00 pm - 9:45 pm

ESTIMATED ATTENDANCE: 1,000

BASIS ON WHICH THIS ESTIMATE IS MADE: Based on last year

COMPREHENSIVE GENERAL LIABILITY INSURANCE REQUIRED: \$1,000,000. Please attach proof of insurance (or applicable rider).

II. Applicant and Sponsoring Organization Information

SPONSORING ORGANIZATION NAME: Hazelwood Boosters

ARE YOU A NON PROFIT CORPORATION? No Yes If yes, are you 501c(3) 501c(6) Place of Worship

APPLICANT NAME: Alex McKay TITLE: President

ADDRESS: 3413 Hazelwood Ave CITY: Waynesville STATE: NC ZIP: 28786

PHONE: (828) 507-0060 FAX#: _____ EMAIL: Waynesvillearchive@yahoo.com

ON-SITE CONTACT: Chad Brown TITLE: Event-Coordinator

ADDRESS: 495 Hazelwood Ave. Waynesville, NC 28786

PHONE #: (828) 450-4443 CELL PHONE #: _____ EMAIL: _____

III. Brief Description of Event

Antique Car Cruise in Car Show

IV. Street Closure Request (Attach map of the Street Closure)

List any street(s) (or lanes of streets) requiring temporary street closure as a result of this event.
Include street name(s) indicating beginning and endpoints of the closing, day, date and time of closing and reopening:

1. *Along Hazelwood Ave. from Brown Ave to Westwood Circle*
2. *Closing the Forge Parking lot*
- 3.

V. Event Details

- | | |
|-----|----|
| YES | NO |
|-----|----|
- Does the event involve the sale or use of alcoholic beverages?
If yes, has the ABC permit been obtained? Yes No Please provide a graphic of the area where alcoholic beverages will be purchased or consumed (i.e. beer garden layout)
 - Does the event involve the sale of food? _____
If "YES", has the health department been notified? _____ Have you applied for a temporary permit? _____
 - Will there be musical entertainment at your event? IF "YES" provide the following information:
Number of Stages: _____ Number of Band(s): _____ Amplification? _____
Note: If amplification is used, you will be required to perform a pretest for compliance with the noise ordinance.
 - Do you plan to use an existing occupied building? Address _____
 - Do you plan to use an existing vacant building? Address _____
 - Will there be any tents or canopies in the proposed event site? Please provide the following information:
Approx. Number of Tents: _____ Will any tent exceed 400 sq. feet in area? NO YES
 - Does the event involve the use of pyrotechnics? Explain _____
 - Will you provide portable toilets for the general public attending your event? IF SO, how many and where will they be located? *Public Toilets*
 - Will you require electrical hookup for the event? Generators? _____
 - Will you require access to water for the event? Explain _____
 - Will admission fees be charged to attend this event? If "YES", provide the amount(s) of all tickets. _____
 - Will fees be charged to vendors to participate in this event? If "YES", please provide the amount(s). _____
 - Will signs and/or banners be displayed as part of the event? If "YES" have you applied for a sign permit? _____
 - Will inflatable parade balloons be used for the event? Provide details if necessary.

VI. Additional Questions

How will parking be accommodated for this event?

Parking around Hazelwood Area ei.

Virginia Ave, Doctor Brown's, Mackay Lot (Behind Triangle Auto.)

Notes:

1. Parking and buildings involved may be examined for ADA compliance.
2. You may be required to provide a shuttle if the event places undue demands on surrounding parking areas.

How will trash be contained and removed during and after the event?

Will Coordinate with Public Works

on Extra trash Pick up, will Provide Extra Cans

Volunteers: Will you require Civilian Police Volunteers for your event?

Apply for this permit at least 60 days prior to your special event. (30 days for a neighborhood street closing)

Return to:

Beth Gilmore, Downtown Waynesville Director &

Jesse Fowler, Assistant Town Manager

Town of Waynesville

9 S. Main Street, P.O. Box 100, Waynesville, NC 28786

Telephone: (828) 456-3517

Fax No. : (828) 456-2000

Email Address: bethgilmore@waynesvillenc.gov

jfowler@waynesvillenc.gov

VIII. Special Information for Applicants

- * Do not announce, advertise or promote your event until you have an approved and signed permit.
- * You will be required to notify property owners affected by the event at the time a special events permit is issued with a copy of any correspondence provided to the Town for the permit file.
- * **Only chalk may be used on streets – no permanent paint. No permanent alterations to the street will be permitted.**
- * The Town has an ordinance prohibiting the use of tobacco and e-cigarettes in the business districts and all parks of the Town. The Applicant is to communicate this information to all vendors and participants. Permanent signs are in place in these districts and parks.
- * The Town has an ordinance allowing animals at festivals. Any incidents should be reported to the Police Department.
- * The Applicant shall be responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing on-duty law enforcement officers, to appropriately police street closures. For festivals, the Applicant shall be additionally responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing city staff, including but not limited to: on-duty law enforcement officers, to provide internal festival security and for hiring and paying necessary emergency medical technicians.
- * The Assistant Town Manager, in consultation with the Waynesville Police Department, shall determine the number of officers needed to appropriately monitor street closures and for internal security, and with the Fire Department to determine the number of emergency medical technicians needed, and the time when such services shall commence and end.

FOR INTERNAL USE ONLY:

Application received:

Application approved:

Application denied:



Application for Special Events Permit

I. General Information

EVENT NAME: Return of the Gateway Arch

EVENT DATE(S): June 1, 2024 (Rain Date: June 8, 2024)

Note: If event is more than three days in duration, and not in the public right-of-way, you will also need a temporary event permit. Contact the Waynesville Police Dept. at 828-456-5363 for more information.

LOCATION: Main Street - Between Pigeon and Church streets

IF THIS EVENT IS A PARADE OR ROAD RACE: Please provide a full route description and map

SET-UP TIME (START/END): 12 pm

EVENT HOURS: 5:30 - 8:30 pm

DISMANTLE HOURS (START/END): 8:30 - 9:30

ESTIMATED ATTENDANCE: 1,000 - 2,000

BASIS ON WHICH THIS ESTIMATE IS MADE: Other small events held on this block

COMPREHENSIVE GENERAL LIABILITY INSURANCE REQUIRED: \$1,000,000. Please attach proof of insurance (or applicable rider).

II. Applicant and Sponsoring Organization Information

SPONSORING ORGANIZATION NAME: Downtown Waynesville Association (DWA)

ARE YOU A NON PROFIT CORPORATION? No Yes If yes, are you 501c(3) 501c(6) Place of Worship

APPLICANT NAME: Alex McKay TITLE: Board member

ADDRESS: CITY: STATE: NC ZIP: 28786

PHONE: FAX#: EMAIL:

ON-SITE CONTACT: Alex McKay TITLE:

ADDRESS: 343 Hazelwood Ave

PHONE #: (828) 507-0060 CELL PHONE #: EMAIL: Waynesville.archive@yahoo.com

III. Brief Description of Event

Party held for the Return of the Gateway Arch.
Speakers and Band

IV. Street Closure Request (Attach map of the Street Closure)

List any street(s) (or lanes of streets) requiring temporary street closure as a result of this event.
Include street name(s) indicating beginning and endpoints of the closing, day, date and time of closing and reopening:

1. Main Street @ Pigeon Street and Main Street @ Church
- 2.
- 3.

V. Event Details

YES NO

Does the event involve the sale or use of alcoholic beverages?
If yes, has the ABC permit been obtained? Yes No Please provide a graphic of the area where alcoholic beverages will be purchased or consumed (i.e. beer garden layout)

Does the event involve the sale of food? _____
If "YES", has the health department been notified? _____ Have you applied for a temporary permit? _____
Using Food Trucks

Will there be musical entertainment at your event? IF "YES" provide the following information:
Number of Stages: 1 Number of Band(s): _____ Amplification? _____

Note: If amplification is used, you will be required to perform a pretest for compliance with the noise ordinance.

Do you plan to use an existing occupied building? Address _____

Do you plan to use an existing vacant building? Address _____

Will there be any tents or canopies in the proposed event site? Please provide the following information:
Approx. Number of Tents: 1 Will any tent exceed 400 sq. feet in area? NO YES

Does the event involve the use of pyrotechnics? Explain _____

Will you provide portable toilets for the general public attending your event? IF SO, how many and where will they be located? _____

Will you require electrical hookup for the event? Generators? _____

Will you require access to water for the event? Explain _____

Will admission fees be charged to attend this event? If "YES", provide the amount(s) of all tickets. _____

Will fees be charged to vendors to participate in this event? If "YES", please provide the amount(s). _____

Will signs and/or banners be displayed as part of the event? If "YES" have you applied for a sign permit? _____

Will inflatable parade balloons be used for the event? Provide details if necessary. _____

VI. Additional Questions

How will parking be accommodated for this event?

Parking along Main Street and

Downtown Area Parking lots.

Notes:

- 1. Parking and buildings involved may be examined for ADA compliance.
- 2. You may be required to provide a shuttle if the event places undue demands on surrounding parking areas.

How will trash be contained and removed during and after the event?

Extra trash cans will be in

immediate area, will coordinate with Public Works for pickup.

Volunteers: Will you require Civilian Police Volunteers for your event?

Apply for this permit at least 60 days prior to your special event. (30 days for a neighborhood street closing)

Return to:

**Beth Gilmore, Downtown Waynesville Director &
 Jesse Fowler, Assistant Town Manager
 Town of Waynesville
 9 S. Main Street, P.O. Box 100, Waynesville, NC 28786
 Telephone: (828) 456-3517
 Fax No. : (828) 456-2000
 Email Address: bethgilmore@waynesvillenc.gov
jfowler@waynesvillenc.gov**

VIII. Special Information for Applicants

- * Do not announce, advertise or promote your event until you have an approved and signed permit.
- * You will be required to notify property owners affected by the event at the time a special events permit is issued with a copy of any correspondence provided to the Town for the permit file.
- * **Only chalk may be used on streets – no permanent paint. No permanent alterations to the street will be permitted.**
- * The Town has an ordinance prohibiting the use of tobacco and e-cigarettes in the business districts and all parks of the Town. The Applicant is to communicate this information to all vendors and participants. Permanent signs are in place in these districts and parks.
- * The Town has an ordinance allowing animals at festivals. Any incidents should be reported to the Police Department.
- * The Applicant shall be responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing on-duty law enforcement officers, to appropriately police street closures. For festivals, the Applicant shall be additionally responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing city staff, including but not limited to: on-duty law enforcement officers, to provide internal festival security and for hiring and paying necessary emergency medical technicians.
- * The Assistant Town Manager, in consultation with the Waynesville Police Department, shall determine the number of officers needed to appropriately monitor street closures and for internal security, and with the Fire Department to determine the number of emergency medical technicians needed, and the time when such services shall commence and end.

FOR INTERNAL USE ONLY:

Application received:

Application approved:

Application denied:

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: April 23, 2024**

SUBJECT: Final Mural Concept for the Pigeon Community Multicultural Development Center (PCMDC)

AGENDA INFORMATION:

Agenda Location: Presentations
Item Number:
Department: Waynesville Public Art Commission
Contact: Jesse Fowler, Assistant Town Manager
Presenter: Jesse Fowler, Assistant Town Manager

BRIEF SUMMARY:

At the February 27th meeting, Council voted unanimously to commission Kristy McCarthy for the fabrication and installation of a public art installation to be located at the Pigeon Community Multicultural Development Center (PCMDC). On April 10th, Kristy hosted a community listening session at the PCMDC where members of the Pigeon Community and alumni were invited to share stories, photos, and memories with the artist. Community members were able to help shape the final concept of the mural and incorporate their chosen theme of:

Past: Black education in rural America

Present: Safe place; security; community

Future: Voice of many

At a special called meeting of the Waynesville Public Art Commission, Kristy presented the final concept that included the Pigeon Community feedback. Both members of the Board of Directors of the PCMDC and the WPAC voted to approve Kristy McCarthy's final concept of the mural. The Waynesville Public Art Commission comes to Council for their approval of the final concept of this mural.

Barring approval, on June 22nd, the PCMDC will host a community painting party where residents can join Kristy in painting the mural. The week of June 24th, with the help of two WCU art students, Jerel Tavares and Miguel Perez, Kristy will install the mural on the PCMDC. The unveiling ceremony will be on Saturday June 29th.

MOTION FOR CONSIDERATION:

Motion to approve Kristy McCarthy's final concept for the Pigeon Community Multicultural Development Center and to move forward with the mural installation.

FUNDING SOURCE/IMPACT: The Waynesville Public Art Commission was awarded a Haywood County Tourism and Development Grant in the amount of \$15,000 and has raised approximately \$7,500 in order to fund this project. The WPAC is currently waiting on the approval or denial of a

second \$15,000 T-Mobile Grant that would fund the remainder of the project. The WPAC currently has enough money within their fund balance to fund the remainder of the gap in cost.

ATTACHMENTS:

MANAGER'S COMMENTS AND RECOMMENDATIONS:

The Waynesville Public Art Commission has worked very closely with the Pigeon Community Multicultural Development Center throughout this process in order to develop a theme, and a vision for this project that will result in a completed piece which they are proud of, and that the Town is proud of.

**TOWN OF WAYNESVILLE COUNCIL MEMBERS
REQUEST FOR COUNCIL ACTION
Meeting Date: April 23, 2024**

SUBJECT: Child Abuse Prevention Month 2024

AGENDA INFORMATION:

Agenda Location: Proclamation
Item Number:
Department: Administration
Contact: Mayor Gary Caldwell
Presenter: Mayor Gary Caldwell

BRIEF SUMMARY: Child Abuse Prevention Month in April calls attention to making children's healthy development and well-being a priority for our state.

MOTION FOR CONSIDERATION: N/A

FUNDING SOURCE/IMPACT: N/A

ATTACHMENTS:

- Child Abuse Prevention Month 2024 Proclamation

MANAGER'S COMMENTS AND RECOMMENDATIONS:

**PROCLAMATION
CHILD ABUSE PREVENTION MONTH 2024**

WHEREAS, children’s healthy development and well-being is a priority for our state and children need safe, stable, and nurturing families, schools, and communities; and

WHEREAS, childhood trauma, including abuse and neglect, is a serious problem affecting communities across our state and has long-term negative effects on children, families, and future generations; and

WHEREAS, children who live in families with access to economic, health, educational, and social supports are less likely to experience abuse and neglect; and

WHEREAS, nurturing positive, healthy childhoods and preventing child maltreatment requires action by all North Carolinians and is achieved through partnerships built among families, prevention advocates, child welfare professionals, schools, health care providers, community and faith-based organizations, businesses, law enforcement agencies, and local, state, and national governments; and

WHEREAS, in order to solve the public health issue of abuse and neglect, we must work together to ensure children and families are healthy and thriving and invest more in effective child abuse prevention initiatives and family-strengthening policies and supports;

NOW, THEREFORE, I, Gary Caldwell, by virtue of the authority vested in me as the Mayor of Waynesville, hereby proclaim April 2024, as,

“CHILD ABUSE PREVENTION MONTH”

IN WITNESS THEREOF, I have hereunto set my hand and caused the Seal of the Town of Waynesville, NC to be affixed this 23rd day of April, in the year of our Lord, two thousand and twenty-four.

Town of Waynesville

Gary Caldwell
Mayor

Attest: _____
Candace Poolton
Town Clerk

SEAL:

**TOWN OF WAYNESVILLE COUNCIL MEMBERS
REQUEST FOR COUNCIL ACTION
Meeting Date: April 23, 2024**

SUBJECT: Sexual Assault Awareness Month 2024

AGENDA INFORMATION:

Agenda Location: Proclamation
Item Number:
Department: Administration
Contact: Mayor Gary Caldwell
Presenter: Mayor Gary Caldwell

BRIEF SUMMARY: Sexual Assault Awareness Month in April, calls attention to the impact of sexual violence in communities across the state and nation, raising public awareness and educating communities on how to prevent it, as well as how to support survivors.

MOTION FOR CONSIDERATION: N/A

FUNDING SOURCE/IMPACT: N/A

ATTACHMENTS:

- Sexual Assault Awareness Month 2024 Proclamation

MANAGER'S COMMENTS AND RECOMMENDATIONS:

**PROCLAMATION
SEXUAL ASSAULT AWARENESS MONTH 2024**

WHEREAS, sexual violence is defined as any unwanted sexual contact through words or actions, including sexual assault, harassment, and abuse, according to the National Sexual Violence Resource Center; and

WHEREAS, Sexual Assault Awareness Month calls attention to the impact of sexual violence in communities across the state and nation, raising public awareness and educating communities on how to prevent it, as well as how to support survivors; and

WHEREAS, according to the Center for Disease Control and Prevention, more than 1 in 3 women and 1 in 4 men have experienced sexual violence involving physical contact during their lifetimes; nearly 1 in 5 women and 1 in 38 men have experienced rape or attempted rape during their lifetime; and

WHEREAS, from July 2022 to June 2023, rape crisis centers funded by the NC Department of Administration’s Council for Women and Youth Involvement provided remote or in-person services to 12,741 individuals, including 2,417 children under the age of 18, and responded to almost 29,000 hotline calls and online chats; and

WHEREAS, Governor Roy Cooper issued an executive directive in October 2019 to support survivors of domestic violence, sexual assault, and stalking, which permits state employees in cabinet agencies to use earned leave for “safe days” to escape and recover from violence; and

WHEREAS, the NC Council for Women and Youth Involvement and organizations such as the NC Coalition Against Sexual Assault are joined by rape crisis advocates across the state who remain committed to ending sexual violence in our communities by continuing to be allies in all anti-oppression efforts; and

WHEREAS, our voices have power and should be used to support survivors, and together we can end sexual violence by educating friends, family, and community members about consent and other ways to prevent sexual violence before it happens;

NOW, THEREFORE, I, Gary Caldwell, by virtue of the authority vested in me as the Mayor of Waynesville, hereby proclaim April 2024, as,

“SEXUAL ASSAULT AWARENESS MONTH”

IN WITNESS THEREOF, I have hereunto set my hand and caused the Seal of the Town of Waynesville, NC to be affixed this 23rd day of April, in the year of our Lord, two thousand and twenty-four.

Town of Waynesville

Gary Caldwell
Mayor

Attest: _____
Candace Poolton
Town Clerk

SEAL:

**TOWN OF WAYNESVILLE COUNCIL MEMBERS
REQUEST FOR COUNCIL ACTION
Meeting Date: April 23, 2024**

SUBJECT: Removal of Waynesville Housing Authority Board Member

AGENDA INFORMATION:

Agenda Location: New Business

Item Number:

Department: Administration

Contact: Belinda Kahl, WHA Executive Director and Brian Cagle, Board Chairman

Presenter: Belinda Kahl, WHA Executive Director and Brian Cagle, Board Chairman

BRIEF SUMMARY: The Waynesville Housing Authority is recommending Town Council remove Michael Loomis from the commission for failing to satisfy the Town's attendance policy as described in the Boards and Commissions manual. North Carolina General Statute § 157-8 requires Mr. Loomis be notified of the WHA's recommendation and requires that a hearing be held. WHA has satisfied the notification requirement. This is not a public hearing; If Mr. Loomis is present, then he may have the opportunity to speak.

MOTION FOR CONSIDERATION: Motion to remove Michael Loomis from his seat on the Waynesville Housing Authority.

FUNDING SOURCE/IMPACT: N/A

ATTACHMENTS:

- Notification of dismissal

MANAGER'S COMMENTS AND RECOMMENDATIONS:



WAYNESVILLE HOUSING AUTHORITY

48 Chestnut Park Drive · Waynesville NC 28786

Phone: (828) 456-6377 (*TRS Dial 711) · Fax: (828) 456-3377

<https://www.waynesvillehousing.org> | Email: info@waynesvillehousing.org

April 5, 2024

Michael Loomis

Thank you for your services to Waynesville Housing Authority for the past 3 years. After reviewing the minutes for the last 9 months, the Waynesville Housing Authority Board of Commissioners has determined that you have not met the bylaws regarding attendance. The by-laws state that board members shall have no more than three (3) unapproved absences during a year.

According to our records, you have missed the board meetings for November 2023, December 2023, and March 2023. Due to your absences, it is our responsibility to notify the Mayor and Board of Aldermen to request your seat as a Board Commissioner be replaced.

Please let me know if you have any questions or comments.

Sincerely,

Brian Cagle
Board Chairman



**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date 4/23/2024**

SUBJECT Request to apply for “COPS” grant.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Police
Contact: Chief Adams
Presenter: Chief Adams

BRIEF SUMMARY: We have been notified that the “COPS” program has been re-authorized, and Waynesville is eligible for funding of new police officers. The new grant is a three-year grant that funds 75% of an officer’s salary. After three years, the department is expected to retain the employees that were hired in the position. In cases where towns cannot afford the entire cost of funding two positions, they may choose not to fill vacant positions not connected with the grant program. An entry level officer makes \$50,553 with benefits. 25% of that salary would amount to \$12,276.50. The Chief requests to apply for two officers so the match would be \$25,276.50 per year for three years. Chief Adams points out that the size of the department has not increased in a number of years despite the increase in population and visitor volume. The addition of two officers would enhance the speed and efficiency of the patrol division. He requests that you approve his request to work with Charam Miller and apply for a “COPS” grant.

MOTION FOR CONSIDERATION: Approve the request.

FUNDING SOURCE/IMPACT: General

ATTACHMENTS: None

MANAGER’S COMMENTS: The “COPS” program has been around for decades and has helped Police Departments fund additional officers. This is a more generous version of the grant than in the past. The old grant was a three-year grant that started at 75%, then moved to 50% and 25% in the next two years. This funds it at 75% for three years. Should the Town receive the grant, they may eventually need to purchase two vehicles for the employees. All in all, the Town would receive the services of two officers for an outlay of \$25,276. Only in year four would the Council have to fully fund the offers at \$106,161.30.

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: 4/23/2024**

SUBJECT Amendment to the Code of Ordinances regarding the time lawn maintenance equipment may be used within the Town limits.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Governing Body
Contact: Rob Hites
Presenter: Rob Hites

BRIEF SUMMARY : Councilmembers received complaints regarding the use of lawn maintenance equipment at 6:00 am. The noise ordinance sets a 7:00 am starting time for lawn maintenance activity but makes an exception for lawn maintenance equipment on golf courses. Residents have provided examples that such noise can be clearly heard within dwellings abutting the golf courses. The attached amendment to Chapter 26, Section (10) deletes the exception for the use of lawn maintenance equipment on golf courses and establishes the same 7:00 am standard as that for lawn maintenance activity within the Town limits.

MOTION FOR CONSIDERATION: Approve the amendment.

FUNDING SOURCE/IMPACT: General

ATTACHMENTS: Amended Ordinance

MANAGER'S COMMENTS: A Council may amend an ordinance at the time it is first introduced should the vote be unanimous. If there is a dissenting vote, the amendment will be considered for a "second reading" at the subsequent Council meeting.

ORDINANCE # O-24-24

AN ORDINANCE AMENDING CHAPTER 26 SECTION 91 OF THE TOWN OF WAYNESVILLE CODE OF ORDINANCES.

WHEREAS, the Council of the Town of Waynesville adopted chapter 26 section 91 pursuant to Chapter 160A-184 of the North Carolina General Statutes on April 10,2012; and

WHEREAS, the Council has received complaints of excessive sound emitted from landscape maintenance equipment being operated before the hours of 6:00 a.m. from citizens who reside adjacent to golf courses within the Town Limits and.

Whereas, residents have stated that such equipment is clearly audible within their residences, and

Whereas the volume of the lawn maintenance equipment being emitted at that hour constitutes a nuisance and,

Whereas Sec. 26-91.(10) establishes a limit of 7:00 a.m. for all other landscape maintenance activities within the Town Limits, **NOW, THEREFORE**,

BE IT ORDAINED BY THE WAYNESVILLE TOWN COUNCIL THAT THE CHAPTER 26 SECTION 91 BE AMENDED AS FOLLOWS:

Sec. 26-91. Exceptions.

The following are exempt from the provisions of this article:

- (1) Sound emanating from regularly scheduled outdoor athletic events on the campus of any county public school.
- (2) Construction operations from 7:00 a.m. to 9:00 p.m. on weekdays and 8:00 a.m. to 9:00 p.m. on weekends for which building permits have been issued or construction operations not requiring permits due to ownership of the project by an agency of government; providing all equipment is operated in accord with manufacturer's mufflers and noise-reducing equipment in use and in properly operating condition.
- (3) Noises of safety signals, warning devices, emergency pressure relief valves, and all church bells.
- (4) Noises resulting from any authorized emergency vehicle when responding to any emergency call or acting in time of emergency.
- (5) Any other noise resulting from activities of a temporary duration permitted by law and for which a license or permit has been granted by the town in accordance with this subsection. Regulations of noise emanating from operations under permit shall be according to the conditions and limits stated on the permit and contained in this subsection.
- (6) Unamplified and amplified sound at street fairs and parades conducted by or for the town.
- (7) All noises coming from the normal operations of properly equipped aircraft (not including scale model aircraft).
- (8) All noises coming from normal operation of motor vehicles properly equipped with the manufacturer's standard mufflers and noise-reducing equipment.
- (9) Repealed 9/27/2021

-
- (10) Lawn mowers, agricultural equipment, and landscape maintenance equipment used between the hours of 7:00 a.m. and 9:00 p.m. when operated with all the manufacturer's standard mufflers and noise-reducing equipment in use and proper operating condition. ~~except in the case of maintaining a golf course in which case operation of previously stated equipment may be operated between the hours of 6:00 a.m. and 9:00 p.m.~~
 - (11) Musical accompaniment or firearm discharge related to military ceremonies.
 - (12) Sound amplification equipment used in conjunction with telecommunications systems on business properties to notify employees of that business of incoming phone calls, providing that this system be used only between the hours of 7:00 a.m. and 10:00 p.m., and that any speakers attached to the system be oriented toward the interior of the property.
 - (13) Emergency work necessary to restore property to a safe condition following a fire, accident or natural disaster, or to restore public utilities, or to protect persons or property from an imminent danger.
 - (14) Noises resulting from the provision of government services.
 - (15) Noises resulting from the provision of sanitation services.

(Ord. No. 23-94, § 97A-5, 9-27-1994; Ord. No. 9-99, § 97A-5, 5-25-1999; Ord. No. 8-12, 4-10-2012)

Adopted this 23rd day of April 2024.

Town of Waynesville

Mayor Gary Caldwell

ATTEST:

Candace Poolton, Town Clerk