



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

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

Date: **April 14, 2015** Time: **6:30 p.m.**

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**(828) 452-2491**

[aowens@waynesvillenc.gov](mailto:aowens@waynesvillenc.gov)

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### A. CALL TO ORDER - *Mayor Gavin Brown*

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

***Motion:*** To approve the minutes of March 24, 2015 (regular meeting) as presented [or as corrected].

3. Proclamations
  - a. A Day of Prayer – Thursday, May 7
  - b. Letter Carriers Food Drive Day – Saturday, May 9
  - c. National Police Week – May 10 – 16<sup>th</sup> and Peace Officers Memorial Day, May 15

### B. PRESENTATIONS

4. Proposed cross-community way-finding program (*NC Rural Center-New Generation Initiatives Grant*)
  - Martha Bradley, New Generation Leaders
5. Proposal to Consider Designating Waynesville a Certified Retirement Community
  - J. Alan Schork, citizen advocate
  - Andre Nabors, Economic Development Partnership of North Carolina

### C. PUBLIC HEARINGS

6. Public Hearing to consider adoption of amendments to Section 3.10.4 of the Land Development Standards regarding minimum lot size, buffering and design for Monopole Wireless Communication Towers

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***Motion:*** *To adopt amendments to Section 3.10.4 of the Land Development Standards regarding minimum lot size, buffering and design for Monopole Wireless Communication Towers, as presented.*

7. Continuation of Public Hearing, opened on March 24, 2015, to consider adoption of an Ordinance regulating use of tobacco and related products in the Town of Waynesville

***Motion:*** *To continue the public hearing on Tuesday, May 12, 2015 at 6:30 p.m., or as soon thereafter as possible, in the Board Room of Town Hall, 9 S. Main Street, to consider an ordinance regulating use of tobacco and related products in the Town of Waynesville.*

**D. NEW BUSINESS**

8. Award purchase of Two Knuckleboom Loaders for Public Services-Street Division
- Julie Grasty, Purchasing Supervisor

***Motion:*** *To approve the purchase of two (2) Pac Mac Knuckleboom Loaders from Carolina Environmental Systems, Inc. of Kernersville, NC through NJPA contract, in the amount of \$255,996.68 as presented.*

9. Street Closure Requests:

- a. Downtown Waynesville Association Events – May through December 2015
- b. STAR Ranch “Help a Horse Day” Parade – April 26, 2015 – 2:00 p.m. to 3:00 p.m. Rolling Street Closure from Academy Street down Main Street to Depot Street and Haywood Street back to First United Methodist Church
- c. Dr. Eric Yarrington - Main Street Mile - annual “Run for the Children” benefitting Shriners Hospital on August 21, 2015 – from 5:00 p.m. to 10:00 p.m. Main Street

***Motion:*** *To approve the street closures as presented for:*

- a. *Downtown Waynesville Association*
- b. *STAR Ranch*
- c. *Main Street Mile benefitting Shriners Hospital*

10. Street Closure and Sale of Alcohol Request

Chamber of Commerce – Get Away to the Smokies Half Marathon – Saturday May 2, 2015 – street closure of Commerce Street from Depot Street to Panacea, with request for permission to sell alcohol on-street.

***Motion:*** *to approve the closure of Commerce Street from Depot Street to Panacea on Saturday, May 2, 2015 and to allow the sale of alcohol within the indicated area*

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*on the street as requested and as permitted by Section 42-4 of the Town of Waynesville Code of Ordinances.*

**E. COMMUNICATIONS FROM STAFF**

11. Town Manager – Marcy Onieal

12. Town Attorney – Woody Griffin

**F. COMMUNICATIONS FROM MAYOR & BOARD OF ALDERMEN**

**G. CALL ON THE AUDIENCE**

**H. ADJOURN**

## 2015 Festival Schedule Folkmoot USA

DATE	TIME	VENUE:	# GRPS
<b><u>THU JULY 16</u></b>			
	8:30AM	STAFF MEETING-BRDRM (Staff & Directors)	
	10:30AM	GALA REHEARSAL	
	7:30PM	GALA PREVIEW	ALL
<b><u>FRI JULY 17</u></b>			
	8:30 AM	STAFF MEETING -BOARDROOM	
	12:30PM	PARADE	ALL
\$30,\$25,\$20	7:30 PM	GRAND OPENING	ALL
		LATENIGHTER	
<b><u>SAT JULY 18</u></b>			
	10-5PM	INTERNATIONAL FESTIVAL DAY	ALL
\$30,\$25,\$20	7:30PM	HCC	ALL
		LATENIGHTER	
<b><u>SUN JULY 19</u></b>			
	10:00AM	MEETING-BRDRM (Staff & Directors)	
\$30	1:30PM	D/WORTHAM	ALL
\$25,\$20,\$15	7:00PM	FRIEND DAY-LJ	4
	6:30PM	HICKORY RECEPTION	
\$16	7:00PM	HICKORY S.A.L.T.	3
		LATENIGHTER	
<b><u>MON JULY 20</u></b>			
	8:30AM	MEETING-BRDRM (Staff & Directors)	
PRIVATE	9:00AM	RHODE SCHOLAR-LJ	
	7:00PM	FRANKLIN RECEPTION	
\$18	7:30PM	FRANKLIN HIGH SCHOOL	3
		LATENIGHTER	
<b><u>TUE JULY 21</u></b>			
	8:30 AM	MEETING-BRDRM (Staff & Directors)	
PRIVATE	11:00AM	ALTRUSA/KIAWANIS	1
PRIVATE	12:00PM	R/SCHLR DANCE&LUNCH FFC	1
PRIVATE	1:00PM	MEADOWBROOK ELEMENTARY-free	1
PRIVATE		WAYNESVILLE RECEPTION	1
\$16	7:30PM	CANTON/EVERGREEN	3
\$16	7:30PM	SWAIN	3
		LATENIGHTER	

## 2015 Festival Schedule Folkmoot USA

<b><u>WED JULY 22</u></b>			
	9:00 AM	MEETING-BRDROOM (Staff & Directors)	
PRIVATE	11:00AM	HVO-HAYWOOD CNTY FAIRGRND	1
\$30	2:00 PM	BRCC	ALL
PRIVATE		HENDERSONVILLE RECEPTION	1
\$30	7:30PM	BRCC	ALL
		LATENIGHTER	
<b><u>THU JULY 23</u></b>			
	9:00 AM	MEETING-BRDROOM (Staff & Directors)	
<i>PRIVATE</i>	12:00PM	HAYWOOD ROTARY @ FFC	<b>1</b>
<i>PRIVATE</i>	1:00PM	ASHEVILLE ROTARY	<b>1</b>
\$16	2:00PM	BURNSVILLE	2
\$18	7:00PM	JEWISH COM CENTER	<b>2</b>
PRIVATE	7:30PM	DONOR PARTY-ASHEVILLE	1
\$15	4:00PM	HAWOOD COUNTY FAIRGROUND	3
		LATENIGHTER	
<b><u>FRI JULY 24</u></b>			
	9:00 AM	MEETING-BOARDROOM (Staff & Directors)	
PRIVATE	10:00AM	FUMC/PIGEON STREET	1
	6:30PM	MAIN STREET DANCE	<b>1</b>
<i>PRIVATE</i>	12:30PM	WAYNS ROTARY @ FFC	<b>1</b>
\$30,\$25,\$20	2:00 PM	STOMPIN GROUND	ALL
\$30,\$25,\$	7:30 PM	STOMPIN GROUND	ALL
		LATENIGHTER	
<b><u>SAT JULY 25</u></b>			
	9:00AM	STAFF MEETING	
	12:00 PM	HOME TRUST PICNIC	<b>1</b>
PRIVATE	3:00PM	CHEROKEE FAIRGRND	1
\$10	2:30PM	WCU RECEPTION	
\$15	3:00PM	WCU	3
PRIVATE		BALSAM WEST RECEPTION	1
\$30,\$25,\$20	7:30PM	HCC	ALL
		LATENIGHTER	
<b><u>SUN JULY 26</u></b>			
	9:00 AM	AWARDS BREAKFAST	
	1:00PM	DIANA WORTHAM RECEPTION	
\$30	1:30 PM	DIANA WORTHAM	ALL
\$30,\$25,\$20	7:00 PM	CANDLELIGHT CLOSING	ALL

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**REGULAR MEETING**  
**March 24, 2015**

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**THE WAYNESVILLE BOARD OF ALDERMEN** held its regular meeting on Tuesday, March 24, 2015 at 6:00 p.m. in the board room of Town Hall, 9 South Main Street, Waynesville, NC.

**A. CALL TO ORDER**

Mayor Brown called the meeting to order at 6:00 p.m. with the following members present:

Mayor Gavin Brown  
Alderman Gary Caldwell  
Alderman Julia Freeman  
Alderman J. Wells Greeley  
Alderman LeRoy Roberson

The following staff members were present:

Marcy Onieal, Town Manager  
Woodrow Griffin, Town Attorney  
Amie Owens, Town Clerk  
Paul Benson, Planning Director

The following media representatives were present:

Mary Ann Enloe, the Mountaineer  
Becky Johnson, Smoky Mountain News

1. Welcome /Calendar/Announcements

Mayor Gavin Brown welcomed everyone to the meeting and asked Manager Onieal to provide calendar updates.

Manager Onieal noted the following calendar events:

- Today's ribbon cutting at the new Habitat Home Store was successful; the new facility is larger and easier to access.
- March 27, 2015 – Board Retreat at the Wells Event Center
- April 17, 2015 – Kiwanis Spelling Bee – the Mayor, Town Manager and Town Clerk will be participating as a team.
- April 28, 2015 – Board of Aldermen meeting has been canceled due to anticipated lack of quorum, as a result of board members' business/vacation travel schedules and the fact that the mayor and manager will be in attendance at a statewide Economic Development Summit on that date; the next regular board meeting will be on May 12, 2015.
- Budget workshops will begin in May/June and will be announced.

Mayor Brown noted the passing of Town of Clyde Alderman and Mayor Pro-Tem Carroll Mease; many officials from the various municipalities and county attended his memorial service on Saturday, March 21.

2. Adoption of Minutes

***Alderman Caldwell made a motion, seconded by Alderman Roberson, to approve the minutes of the March 24, 2015 regular meeting as presented. The motion carried unanimously.***

Mayor Brown asked about the charging station in the Montgomery Street parking area and whether signage would be placed to indicate the reserved spaces; he also inquired if the units were operational. Manager Onieal noted that there would eventually be signage at the electric charging stations indicating reserved spaces and directional signage installed to direct drivers to the parking lot. She explained that the DC fast charger is not yet operational, although the Level 2 charger is, and that the solar collector, which is part of the overall project has yet to be installed; the Town is awaiting completion by Brightfields, which is responsible for installation and will be providing assistance with signage, once the project is complete. Manager Onieal added that even though we have not yet advertised the EV station's availability, she has already received positive feedback from several customers who have discovered the station via the on-line smartphone applications and that they have had no trouble using the charger to re-charge while enjoying dining and shopping in the downtown area.

**B. PUBLIC HEARING**

3. Public Hearing to consider adoption of an ordinance regulating the use of tobacco and related products in the Town of Waynesville

Manager Onieal provided background information to the board and audience concerning the intent of the ordinance, research conducted and the need for revision to the proposed ordinance. She noted that the ordinance in its current form was not ready for approval, but that staff desired to get a first draft in front of the board and public to begin generating public comment and feedback to assist staff in further refinement of the ordinance. Manager Onieal explained there were four key drivers behind the proposed ordinance being brought forward at this time:

1. The town had previously acknowledged the public health implications associated with the dangers of unintended exposure to secondhand smoke by previously adopting administrative policy banning smoking and tobacco use in all town-owned buildings and vehicles. It is a natural extension of this policy to give policy the force of law and to extend the restrictions to all Town-owned property, where the public gathers (not just buildings and vehicles), as the town has an obligation to provide for health and welfare, not only of its own employees, but of all its citizens and visitors as well.
2. The town has increasingly received complaints about smoking in public spaces with high pedestrian traffic, especially with regard to family friendly events, where large multi-generational crowds gather, at special events, entries to businesses, parades, festivals, seating areas in downtown, sidewalks

3. Growth in public awareness of the health consequences of tobacco use and smoking have sparked a demand in the last decade for state and local governments to enact a increasingly restrictive statutes ordinances aimed at protecting public health in public spaces, and as of February 2014, there were only 7 counties out of 100 in NC that had failed to pass restrictive smoking or tobacco use ordinances, and even those seven had adopted administrative policies that in fact restricted smoking on public properties.

4. Haywood County is about to adopt an ordinance that will ban smoking on county properties, including the courthouse and justice center, which has been universally viewed as a problem location for exposure to secondhand smoke, due to the large number of smokers who congregate in that area. As a practical matter, if individuals cannot smoke at the Justice Center, if the Town does not address smoking on sidewalks in the Downtown area, then it is likely the Town will see the existing problem simply migrate further down the street.

Manager Onieal commented that the intent was to address issue of second-hand smoke in the public areas that we control, primarily on sidewalks and in commercial areas and the grounds such as parks, trails and recreation areas. The draft ordinance did not effectively establish the difference between publicly-controlled and privately-controlled “public” areas. Controlling smoking at festivals, parades, concerts, and similar events on a public space is also an area where further revision is required. Manager Onieal noted that the NC general statutes give the Town fairly wide authority to act in the protection of public health, and that an ordinance could restrict smoking in public spaces on on private property. Manager Onieal provided examples of several NC towns and counties that had successfully prohibited smoking in sports arenas, in service lines, bus stops, child care facilities, public restrooms and in the common areas of residential facilities, apartment buildings and shopping malls. She added that staff’s intent with the town’s first draft was to take a limited approach to just control those areas that belong to the town and address the public spaces in densely populated commercial areas where second-hand smoke has already proven to be a real problem.

Manager Onieal noted that from an enforcement standpoint, the goal is to make the ordinance more of an educational issue rather than a criminal issue or even a civil violation. While the ordinance provides for a civil penalty to be assessed, enforcement could be administered by any town employee or agent of the town (i.e. DWA, code enforcement, other employees), and the emphasis would be on community education, protection of public health, cooperation and co-existence. It is not the town’s desire to follow people with a ticket book, nor to make this a matter of police enforcement, except in the most extreme of cases.

Manager Onieal introduced Traci Clark, Regional Manager of Hi-Top Consortium, a program of the Tobacco Prevention and Control Branch of the NC Department of Health and Human Services, to speak regarding the state’s stance on smoking as a public health issues and the wide variety of ordinances across the state. Ms. Clark provided statistics and information on second-hand smoke and why local governments can and should be involved in this public health matter. She explained that she had assisted the Town of Canton with the development of their ordinance and had assisted with crafting policy and signage and media messages (social media). Ms. Clark reiterated that education is the main way to get the message out to the public and that is where the enforcement goes – educating town residents and visitors. Once the policy or ordinance is in effect, public education efforts are underway and signage is up, the public will generally adhere to policies and ordinances. Ms. Clark added that there have been no legal challenges to the multitude of ordinances which have been adopted across the state, even in those jurisdictions where public use of all tobacco products has been prohibited, and

virtually no complaint nor public outcry once the ordinances were adopted. She added that good public education and signage were keys to success in early compliance with the new laws.

**Town Attorney Griffin opened the public hearing at 7:00 p.m. The following individuals addressed the board:**

- 1) **David Young, 384 Thomas Park Drive, Waynesville, NC 28786** indicated that there were numerous issues with the ordinance as it was currently drafted, and if adopted as is, he would be against it. Mr. Young offered three alternative ideas, which could offer a compromise between smokers and non-smokers without banning smoking altogether.
  - a) have the ordinance in effect only during the normal operating hours of the majority of merchants in the designated commercial districts. An 8:00 a.m. to 5:00 p.m. smoking ban would keep smoke away from the majority of people without harming the bars and restaurants that typically serve a higher percentage of tobacco-using adults, who would frequent restaurants and bars in the evening.
  - b) Allow businesses to opt-in to the ordinance. Any business that wishes to participate in the ban could post a sign in their window and smoking could be prohibited within a set distance of the sign at their business during the regular operating hours of that business.
  - c) Exempt businesses with a public entrance located more than a set distance from the entrance of neighboring businesses. For example: if Bogart's wanted to allow smoking in their own parking lot, their customers should not be punished for smoking within 50 feet of the entrance.

Mr. Young further noted the difficulty in enforcing distances from entrances – that unless clearly marked, how would one know whether they were in violation of the ordinance?

- 2) **Megan Hauser, 152 Walnut St, Apt 7, Waynesville, NC 28786** noted that individuals shopping or walking downtown have no choice but to pass through cigarette smoke due to the narrow sidewalks and dense development in commercial areas. Many citizens are negatively impacted by second-hand smoke, not only as a matter of preference but as a genuine health issue. She expressed that the majority of individuals in Haywood County, based on data, do not smoke and she felt it was in best interest of the town to move forward with prohibiting public smoking. Ms. Hauser added that the restaurants and bars have not seen a loss in business since the statewide ban was implemented, and that statewide ban some years ago has not harmed Waynesville's economy in any way. Ms. Hauser concluded that the ordinance would not have a negative impact and was in favor of an ordinance restricting smoking in public spaces.

**There being no one else from the audience who wished to speak, Town Attorney Griffin closed the public hearing at 7:07 p.m.**

Following the close of the public hearing, the board posed the following questions.

Alderman Freeman inquired if there was any enforcement on state-owned streets and areas such as in between cars parked on those streets? Manager Onieal noted that the Town had the right to impose restrictions and enforce regulations on any space it owned, leased, controlled, maintained, or to which it had easements or rights-of-way. Ms. Clark indicated it could be plausible for the town to

exercise enforcement over state roads within the Town, but would get a formal opinion from legal counsel within her department.

Alderman Roberson noted a concern with enforcement and how to get the citizenry comfortable with enforcement. Mayor Brown commented that it would be an educational effort and would take cooperation with business owners to point out when someone is not complying. It will be a process.

Alderman Caldwell added that he was concerned that since restaurant law states individuals cannot smoke inside, then if they cannot smoke on the sidewalk, then they may not come back. He commented that the rights of the smoker should be considered as well.

Alderman Greeley added that there should be a clear definition of public and private areas. He added that anyone with private property can allow or disallow smoking on their property.

Mayor Brown charged Manager Onieal and staff with revising the ordinance to best meet the concerns noted and bring back to the board a revised ordinance.

***By consensus, the Board authorized the manager to return a revised draft of the ordinance at the April 14<sup>th</sup> regular board meeting and to continue the public hearing to the regular board meeting of May 12<sup>th</sup>.***

## **C. COMMITTEE AND DEPARTMENTAL REPORTS**

### **4. Annual Report from Historic Preservation Commission**

Paul Benson, Planning Director presented the annual report from the Historic Preservation Commission (HPC) on behalf of Bette Sprecher, Chairman. Mr. Benson recognized the members of the HPC and applauded their passion and commitment to historic preservation. He noted that there had been ten (10) regular meetings of the HPC since April of 2014.

Mr. Benson explained that the major focus for the HPC has been on Greenhill Cemetery and gathering information for application to be listed on the National Register. The HPC has submitted a grant application to assist with paying for a consultant to complete the application. Being on the National Register is an honorary designation and would not impact any town services but would recognize Waynesville's history. Mr. Benson added that the cemetery is an Interesting reflection of the Town's history and there have been multiple interesting stories discovered during this research.

Another project that the HPC completed in 2014 was working with residents of Love Lane and the Town to place a sign at the neighborhood entrance showing its designation as a historic district and the "Oldest Residential Street in Waynesville."

The ordinance that enacted the HPC puts them in charge of review of marquis signs. The group worked with the owners of the Strand Theater to maintain the historic look and enhance downtown.

Mr. Benson noted that three (3) new appointees had been added to the HPC and commission members were interested in specific training. The HPC is going through the *Handbook for Historic Preservation Commissions in North Carolina* a few chapters at a time to ensure that the entire group is familiar with NC, as well as Town, standards.

Mr. Benson explained that tax credits for historic landmarks expired in December, 2014. The historic rehab credit encouraged private investments in local communities and encouraged the reuse of existing buildings, which saved taxpayer money through reducing the need to expand public services and infrastructure. In an effort to reinstate tax credits for historic landmarks, cities and towns are drafting resolutions for support. If approved, the resolution would be forwarded to the NC General Assembly and Governor to show support for the reinstatement of this important tax credit. Mr. Benson commented that funerary artwork is part of historic preservation in Greenhill Cemetery.

Manager Onieal added that the Governor and House were in sync; however, the Senate wants to do away with all tax credits. This was discussed at Town Hall Day and while not in favor of bringing back the tax credit, the General Assembly would like a compromise and potentially have this as a grant program for communities who are active in historic preservation. She did note that the NC League of Municipalities is supportive of activities involving historic preservation and is aware of the resolutions of support that are being forwarded to the Legislature.

***Alderman Roberson made a motion, seconded by Alderman Freeman to approve the Resolution of Support for the Reinstatement of the Historic Preservation Tax Credit as recommended by the Historic Preservation Commission, as presented. The motion carried unanimously.***

5. 2014 Annual Report from the Waynesville Parks and Recreation Department

Manager Onieal explained that the Board had received the Recreation Advisory Council and Parks and Recreation department's annual reports already; however, with the department seeking specialized accreditation, formal documentation of approval by the Board is required. The Commission for Accreditation of Park and Recreation Agencies (CAPRA) standards for national accreditation provides an authoritative assessment tool for park and recreation agencies. Through compliance with the standards of excellence, CAPRA accreditation assures policy makers, department staff, the general public and tax payers that an accredited park and recreation agency has been independently evaluated against established benchmarks as delivering a high level of quality.

Manager Onieal noted that Waynesville's Parks and Rec are seeking CAPRA accreditation as a mark of excellence and it is an ambitious and lengthy undertaking on their part. CAPRA requires looking at the department's programs, processes, procedures and outcomes, then weighs them against best practices in service provision to ensure that we are meeting or exceeding the standards of other accredited programs across the country. CAPRA has 144 core standards and programs must meet 90% to be accredited.

Alderman Greeley commended Rhett Langston, Parks and Recreation Director, for his willingness to begin such a process. He added that this would be a feather in Waynesville's cap to achieve this accreditation.

Manager Onieal added that agencies often do not achieve accreditation the first time out when they seek such accreditation, but that the experience of going through such an intensive self-evaluation is an outstanding learning experience for the department in and of itself. Not only does the process lead to improvements for the Recreation Department, the process sets out high procedural standards, many of which are transferable or applicable to other departments as well. The accreditation process also requires a great deal of communication between the Recreation Department and other Town departments in order to complete. Manager Onieal expressed her appreciation and admiration for all Town staff involved and praised the Leadership Team for their willingness to push themselves to a higher level of achievement, especially in support of the Recreation Department in this endeavor.

***Alderman Greeley made a motion, seconded by Alderman Roberson, to approve the 2014 annual report from the Waynesville Parks and Recreation Department, as presented. The motion carried unanimously.***

#### **D. NEW BUSINESS**

##### **6. Street Closure Requests**

- a. West Haywood/Waynesville Relay for Life – Wine Race – Saturday, April 25, 2015 from 2:30 p.m. to 4:30 p.m. Miller Street Parking Area. Mark Scott, representing West Haywood/Waynesville Relay for Life, explained that the Wine Race was a great success during its inaugural year last year and they are planning on holding it again this year. Mr. Scott has already spoken with the two restaurants that are adjacent to the parking area (the Sweet Onion and Smoky Mountain Sub Shop), and they were agreeable to the closing of the parking area. One of the restaurants will have staff participating in the event.

Alderman Freeman commented that she had attended the event last year and that it was well received. Mr. Scott invited the Mayor and Board to attend the Wine Race, as well as the Relay for Life event on April 25 and thanked them, the Town and the merchants for their support.

- b. Haywood County Tourism Development Authority – Quilt Block Unveiling – Tuesday, April 14 from 12:15 p.m. to 12:45 p.m. Depot Street near Historic Courthouse. Manager Onieal explained that the new quilt block will be installed on the end of the Animal Hospital facing the Courthouse, so in order for people to view it and hear the speakers at the unveiling, they would need to stand in the street. This will be a short presentation – 30 minutes and then everyone will move into the building and the street would be re-opened.
- c. First Methodist Church Waynesville upcoming events –closure of Academy Street for three (3) events
  - i. Pig Pickin’ – Sunday, May 31 beginning at 4pm and ending at 8pm; request closure of street by 1pm.
  - ii. Back to School Bash – Sunday, August 30 beginning at 4 and ending at 7pm; request closure of street by 1pm.

- iii. Trunk or Treat – Saturday, October 31 beginning at 5pm and ending at 8pm; request closure of street by 3:30pm.

Manager Onieal explained that all of these church events had occurred in previous years and were approved.

***Alderman Caldwell made a motion, seconded by Alderman Greeley, to approve the street closures for West Haywood/Waynesville Relay for Life, Haywood County TDA and the First United Methodist Church of Waynesville, as presented. The motion carried unanimously.***

#### 7. Municipal Record Retention Schedule Amendments

Town Clerk Amie Owens informed the board that there had been several revisions to the Municipal Record Retention Schedule including:

Standard 4 – Budget, Fiscal and Payroll Records – amending item 32, Escheat and Unclaimed Property file – this section reflects the change to the retention for those records filed prior to and after July 16, 2012 in compliance with NCGS 116B-60 and 116B-73.

Standard 9 – Law Enforcement Records – addition of item 136 – Law Enforcement Audio and Video Recordings - this new section meets the provisions of NCGS 132-1.4 and notes that these records may be destroyed in office after 30 days if not made part of a case file. If made part of a case file, these records must meet specific standards which are cross referenced in the disposition instructions.

##### Standard 12 – Personnel Records

- a. Item 1-A-Accreditation records – destroy in office one (1) year after accreditation is obtained, renewed or no longer valid.
- b. Item 19 – Employee Eligibility Records – mandatory retention of all I-9 forms for the duration of employment and after separation records may be destroyed in office three years from the date of hire or one year from separation, which ever occurs later.
- c. Item 42 Leave File – Any records concerning any type of leave (with or without pay, FMLA, sick, vacation, etc...) may be destroyed in office after the employee returns to work or termination of employment. This item (42) incorporates items 36 – FMLA leave and item 43 – Leave without pay; previously these were independent retention items.

Ms. Owens will seek clarification as to whether item 1-A – Accreditation Record pertains only to the certificate itself or materials collected in preparation of accreditation applications or reviewed for accreditation.

***Alderman Greeley made a motion, seconded by Alderman Freeman, to approve the amendments to the Municipal Records Retention Schedule, as presented. The motion carried unanimously.***

#### E. CALL FOR PUBLIC HEARING

**8. Call for Public Hearing to consider the amendment of Section 3.10.4 of the Land Development Standards regarding minimum lot size, buffering and design for Monopole Wireless Communication Towers**

Mr. Benson explained that applicant Prime Tower had requested an amendment to waive minimum lot size for cell towers in commercial areas. This request was reviewed by the Planning Board at their February 23, 2015 meeting and passed unanimously.

Mr. Benson noted that the Planning Board recommendation is to keep the one acre requirement for residential districts in keeping with lot standards for other commercial uses. Other recommendations included the buffering standards for cell towers and additional language about design to make it clear the range of finish and reflectivity of the paint and architectural design options.

***Alderman Greeley made a motion, seconded by Alderman Freeman, to call for a public hearing on Tuesday, April 14, 2015 p.m., or as soon thereafter as possible, in the Board Room of Town Hall, 9 S. Main Street, to consider the amendment of Section 3.10.4 of the Land Development Standards regarding minimum lot size, buffering and design for Monopole Wireless Communication Towers. The motion carried unanimously.***

**F. COMMUNICATIONS FROM STAFF**

9. Town Attorney

Town Attorney Griffin had no business to discuss.

10. Town Manager

Town Hall Day Report

Manager Onieal reported that Town Hall Day was well attended and that she would forward information from the League of Municipalities. This General Assembly has made some progress, but is stuck on the gas tax. She noted that the atmosphere is more congenial with new leadership and that Tim Moore is a warm and open leader. Manager Onieal added that it is early in the session to see much progress being made. Specific areas that Manager Onieal will be monitoring is the replacement of revenues from loss of business privilege license tax – all looking at huge loss with nothing on the table to replace that. Projections have not come up to what they'd hoped and with the state not making its own revenue projections, there is no way to avoid the \$150,000 loss.

Manager Onieal noted that use of sales tax still very much in play and how it is distributed. Currently, discussion surrounds the imbalance between rural and urban and how to redistribute no universal agreement about this.

Manager Onieal added that Senate Bill 141 (Waynesville/Lake Junaluska Annexation Referendum) is still in the senate operations and rules committee. She noted that all municipalities and the county have signed the joint resolutions of support, and that other agencies such as DWA, TDA, Chamber of Commerce and EDC have expressed support and will

have the joint resolution on their upcoming board agendas. Manager Onieal explained that Senator Davis is ready to move the bill.

#### Employee News

Manager Onieal announced that the Public Services Employee of Month for February was the entire public services department for their efforts during the recent inclement weather.

#### Constituent Request

Manager Onieal reported that Hughes Roberts, Jack Bishop and others have renewed their efforts to bring an assisted living/continuing care retirement center into Haywood County. They have also discussed the possibility of obtaining a Certified Retirement Community designation from the NC Department of Commerce for the Town of Waynesville with Andre Nabors, of the Economic Development Partnership of North Carolina. Both the Mayor and Manager Onieal have met with the group and are planning a future meeting to discuss. They have requested an opportunity to address the Board of Aldermen, and that is tentatively scheduled for the regular meeting of April 14.

#### Board Retreat

Manager Onieal explained that there would be three major discussion topics for the board retreat and if time allows, some pre-budget proposals around capital items in the Public Services Department:

- Watershed– discussion of studies and long-term use, access and legal issues related to the conservation easement. Manager Onieal explained that there are currently 600 acres not included in the conservation easement; however, this land cannot be accessed without going through the existing easement.
- Facility Needs – pre-budget review of departmental facility needs, with particular focus on Fire, Public Services, Municipal Building and Town Hall, including co-location of the Downtown Waynesville Association, Tourism Development Authority and Chamber of Commerce; the movement of the Development Services office and related capital needs.
- Electric/Energy Services contract – energy services contract proposals from UTEC and Nova Energy Consultants and electric operations assessment report from UTEC
- Departmental Budget items – water/sewer capital construction crew proposal and solid waste commercial collection fee restructuring

Manager Onieal explained that routine budget discussion will be held in May and June, unless there are other specific topics the board wished to address at this time.

## **G. COMMUNICATIONS FROM MAYOR AND BOARD OF ALDERMEN**

Alderman Greeley noted that the Wells Event Center had received an award from NC Main Street Program, for economic restructuring in the Best Business Retention category at the association's annual conference this past month in Morganton.

Manager Onieal added that the Town of Waynesville had received the Gold Award by Blue Ridge Country Magazine for the Best Little Town off the Blue Ridge Parkway. Maggie Valley received a Silver Award.

**H. CALL ON THE AUDIENCE**

No one addressed the board.

**I. ADJOURN**

*There being no further business to discuss, Alderman Caldwell made a motion, seconded by Alderman Greeley, to adjourn the meeting at 8:00 p.m. The motion carried unanimously.*

ATTEST

---

Gavin A. Brown, Mayor

---

Marcia D. Onieal, Town Manager

---

Amanda W. Owens, Town Clerk

# PROCLAMATION

## *“A DAY OF PRAYER IN WAYNESVILLE - THURSDAY, MAY 7, 2015”*

**WHEREAS**, Civic prayers and national days of prayer have a long and venerable history in our constitutional republic, dating back to the First Continental Congress in 1775; and

**WHEREAS**, The Declaration of Independence, our first statement as Americans of national purpose and identity, made “the Laws of Nature and Nature’s God” the foundation of our United States of American and asserted that people have inalienable rights that are God-given; and

**WHEREAS**, The Supreme Court has affirmed the right of state legislatures to open their sessions with prayer and the Supreme Court and the U.S. Congress themselves begin each day with prayer; and

**WHEREAS**, In 1988, legislation setting aside the first Thursday in May in each year as a National Day of Prayer was passed unanimously by both Houses of Congress and signed by President Ronald Reagan; and

**WHEREAS**, The National Day of Prayer is an opportunity for Americans of all faiths to join in united prayer to acknowledge our dependence on God, to give thanks for blessings received, to request healing for wounds endured, and to ask God to guide our leaders and bring wholeness to the United States and her citizens; and

**WHEREAS**, It is fitting and proper to give thanks to God by observing a day of prayer in the Town of Waynesville when all may acknowledge our blessings and express gratitude for them, while recognizing the need for strengthening religious and moral values in our State and nation;

**NOW, THEREFORE, I, GAVIN A. BROWN**, Mayor of the Town of Waynesville, to hereby proclaim the Thursday May 7, 2015, to be designated as

### *“A DAY OF PRAYER IN THE TOWN OF WAYNESVILLE”*

and encourage the citizens of Waynesville to observe the days in ways appropriate to its importance and significance.

Proclaimed this the 14<sup>th</sup> day of April 2015.

**TOWN OF WAYNESVILLE**

---

Gavin A. Brown, Mayor

Attest:

---

Amanda W. Owens, Town Clerk

**PROCLAMATION**  
**“Letter Carriers’ Food Drive Day”**

***May 9, 2015***

**WHEREAS:** *Every year on the second Saturday in May, letter carriers across the country collect non-perishable food as part of the nation’s largest one-day food drive, distributing the donations to local food banks; and*

**WHEREAS:** *The Letter Carriers’ Stamp Out Hunger Food Drive is just one example of how letter carriers work to make a difference in the lives of those they serve. Since the pilot drive was held in 1991, more than a billion pounds of food have been collected; and*

**WHEREAS:** *I would like to recognize all letter carriers for their hard work and their commitment to their communities. All of the food collected in our community stays in our community and we support carriers’ efforts to help those in need in our community.*

**NOW, THEREFORE, I, the Mayor of the Town of Waynesville** by the authority vested in me, do hereby proclaim Saturday, May 9, 2015 as **“LETTER CARRIERS’ FOOD DRIVE DAY”** in the Town of Waynesville, and encourage the citizens of our community to support the food drive by placing non-perishable food items in or near your mailbox on food drive day. Your letter carrier will pick it up while delivering the mail—and together, we can all help to feed our hungry.

***IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Waynesville, North Carolina to be affixed this 14<sup>th</sup> day of April 2015.***

TOWN OF WAYNESVILLE

---

Gavin A. Brown  
Mayor

# PROCLAMATION

## NATIONAL POLICE WEEK

May 10 – 16, 2015

And

## PEACE OFFICERS MEMORIAL DAY

May 15, 2015

**WHEREAS**, the Congress and President of the United States have designated the week of May 10 – 16, 2015 as National Police Week and Friday, May 15, 2015 as Peace Officers Memorial Day, and

**WHEREAS**, the members of the law enforcement play an essential role in safeguarding the rights and freedoms of the citizens of the Town of Waynesville, and

**WHEREAS**, it is important that all citizens know and understand the duties, responsibilities, hazards and sacrifices of their law enforcement officers, and

**WHEREAS**, the men and women of the law enforcement agency of the Town of Waynesville serve the people by safeguarding life and property, protecting them against violence and disorder and providing a vital public service.

**NOW, THEREFORE**, I, Gavin A. Brown, Mayor of the Town of Waynesville, do hereby proclaim the week of May 10 - 16, 2015 as National Police Week and May 15, 2015 as Peace Officers Memorial Day for the Town of Waynesville and urge all citizens to recognize these officers' faithful and loyal devotion to their responsibilities.

This the 14<sup>th</sup> day of April, 2015.

TOWN OF WAYNESVILLE

---

Gavin A. Brown  
Mayor

# New Generation Leaders

## Cross-Community Wayfinding Initiative

### Who are the New Generation Leaders:

- ▶ The Haywood Chamber of Commerce applied for a \$20,000 New Generation Initiative grant from the NC Rural Center.
- ▶ This grant was awarded in 2014 to be used by a young adult action team, the Young Professionals of Haywood, to design and implement an innovative community improvement project aimed at attracting and retaining young adults in the community.
- ▶ Community Partners who gave their support for this grant: Haywood Regional Medical Center, Evergreen Packaging, , Haywood Economic Development Commission, Haywood Community College, Haywood County Schools Foundation, Haywood Waterways Association
- ▶ The New Generation Leaders attended the kickoff event at the NC Rural Center in July 2014.
- ▶ Since July 2014 the New Generation Leaders group has invested over 40 hrs in large group and/or small focus group sessions working on this innovative community improvement project.

## Core Leadership From Across the County:

- ▶ Melissa Tinsley - Haywood Chamber of Commerce
- ▶ Katy Gould - Small Business Center - Haywood Community College
- ▶ Travis Hyatt - MB Haynes Corporation
- ▶ Andrew Bowen - Town Planner for the Town of Maggie Valley
- ▶ Martha Bradley - Cannon Law, P.C.
- ▶ Eric Romaniszyn - Haywood Waterways Association
- ▶ Claire Carleton - Haywood County Parks & Recreation
- ▶ Anna Smathers - Haywood County Tourism and Development Authority
- ▶ Ben Butler - Shinning Rock Classical Academy
- ▶ Eric Contre - Contre Law PLLC
- ▶ Jennifer Jacobson - Wells Funeral Home LLC
- ▶ Laura Ivy- Sarge's Animal Rescue Foundation
- ▶ Lynn Pinter - Champion Credit Union
- ▶ Joel Skene - Western & Southern Life
- ▶ Seth Hendler-Voss - Town Manager for the Town of Canton
- ▶ Tim Petrea - Waynesville Parks and Recreation Dep
- ▶ Chase Wells - Griffin Wells Law
- ▶ Benji Bossel - White Fox Studios
- ▶ Kaleb Wingate - Assistant District Attorney
- ▶ Stacy Downs - Jeweler's Workbench

## Our Mission:

- ▶ To design and order an introductory series of informational, educational, and way-finding signs and marketing materials (print, web, mobile) for current greenways systems in Haywood County.
- ▶ To host an end of project kick-off event to increase awareness of the greenways and to identify potential sources of future funding for additional greenways in municipalities across the county.
- ▶ To increase participation and level of engagement of youth and young professionals in civic and economic development through the creation and implementation of a unified county-wide greenways development project.



## Signage Specifications

### Principle Use Signage

- ▶ W:2 ft. X H:6 ft. , Single Sided
- ▶ 12.0 Sqft Laminate INTERMEDIATE Oraguard 210 Matte - 2.5mil
- ▶ 4yr Outdoor Durability Calendered Laminate
- ▶ Offers a high degree of UV Protection
- ▶ matte
- ▶ 12.0 Sqft Calendered Intermediate Digital Air Release Vinyl (everyday vinyl) - 3M IJ35C-10 3.2 mil Calendered Intermediate graphic film with
- ▶ 5 year outdoor durability
- ▶ Use with Intermediate or Cast Laminate for all outdoor uses
- ▶ 12.0 Sqft Aluminum Composite 6mm White 2-sides 4' x 8' - Aluminum
- ▶ skin on both sides bonded to a thermoplastic core. Baked on enamel
- ▶ finish for durability and lasting beauty. Great for all weather
- ▶ applications as core will not rot or corrode.
- ▶ Single Sided
- ▶ Complex Border Design

## Budgetary Information

Item	Individual Cost
Principle Use Sign	\$447.40

Included:

- Signage
- Screen Print
- Foot posts
- Post brackets
- Post caps
- Painted post caps

## Looking Towards the Future of Greenways in Haywood County

### Vision:

- ▶ A permanent organization which will continue the work of developing a unified greenways system increasing both in geographical scope and in depth of public awareness and in forming long-term public-private funding partnerships.
- ▶ An interconnected, unified, and uniform county-wide greenways network with interactive and educational kiosks at strategic locations, providing a health-conscious and family-friendly amenity for the community.

## RETIREMENT COMMUNITY IN HAYWOOD COUNTY

Prepared by Hughes Roberts for

A Meeting with Town Manager Marcy Onieal and Mayor Gavin Brown  
March 6, 2015

Thank you for your willingness to meet with us to discuss our interest and work toward establishing a Continuing Care Retirement Community (CCRC) in Haywood County and designating Waynesville as a North Carolina Certified Retirement Community. We don't pretend to have all the answers, so we are talking to community leaders for input, suggestions and jointly developed strategies.

The topics we would like to discuss on Friday, March 6<sup>th</sup> include the following:

- An update for you on our team effort and activity to understand and stop the exit of seniors from Haywood County to retirement communities such as Asheville's Givens Estates and Deerfield, and the potential jobs impact for Haywood County of a Continuing Care Retirement Community located here.

- Nine cities in North Carolina have been designated as Certified Retirement Communities by the State of North Carolina including cities such as Lumberton, Asheboro and Marion. While they are probably great places to live, they definitely would not be in a league with Waynesville and Haywood County as retirement locations. The potential benefits of being proactive in seeking this designation for Waynesville seem attractive with no downsides that we can identify.

### **Some questions:**

1. Can we find some ways to overcome relatively weak survey interest in a CCRC for Haywood as determined by Givens in 2011? A consultant conducted "focus group" surveys here in 2011?...at a time following a severe economic downturn with reduced home values and reduced investment values.

2. Would a committed effort to seek designations of Waynesville as a Certified Retirement Community help to convince Givens that their interest and efforts to locate a Retirement Community in Haywood County could now be successful for the long term?

3. Would the town of Waynesville be willing to commit \$ 10,000 as an application fee to begin the process of being designed as a Certified Retirement Community by the State of North Carolina? (Alan Schork has a presentation for you on this process.)

4. Can we identify organizational entities in Waynesville with vested interests in more retirees for the community which are willing to partner with other stakeholders to follow through on the required planning and action steps?

## **Background:**

### **A. Jobs**

Examples to support the potential of CCRC jobs for Haywood County

- **Highland Farms CCRC**, Black Mountain NC, a Givens Property: 359 residents; 250 staff for a ratio of 71%. 2/3 of the budget is for employees.
- **Deerfield CCRC**, Asheville, NC, 580 residents; 318 staff for a ratio of 55%. (From 2013 Figures) . Current figures show 100% occupancy.

These figures suggest that a CCRC in Haywood County with 150 residents could generate as many as 75 jobs or more!

### **B. Contacts to date**

In addition to a meeting with Givens CEO, Ken Partin, and Highland Farms Executive Director, Dave Hinson, the following Haywood leaders have been briefed on our interest in a Haywood CCRC: Wells Greeley, Neil Ensley, Jack Ewing, Ron Leatherwood, Danny Wingate, Mark Clasby, David Blevins and Frank Powers.

### **C. Our Team:**

- **Mark Clasby**. Executive Director, Haywood Economic Development Council
- **Jack Bishop**. Jack is a Waynesville Edward Jones Financial Advisor. Jack lives in Lake Junaluska. He has a number of clients who have left the county for CCRCs in other locations. He would like to have a CCRC as an option in Haywood for him, his wife and his clients.
- **Judi and David Crane**. The Cranes lives in Maggie Valley. Judi is retired from the Department of Defense and David commutes to teach law at Syracuse University. Judi's father is a resident at Highland Farms. They will consider a CCRC in their future and would like to remain here.
- **Hughes Roberts**. The Roberts live in Haywood County near Waynesville. Hughes is retired IBM. The Roberts have a reservation at Deerfield for 2019, but would prefer to stay in Haywood County.
- **Alan Schork**. The Schorks live in Haywood County near Waynesville. Alan is a Commercial Mortgage Banker. He feels that Haywood County can support a CCRC and that this kind of development would have substantial benefits for the community. Alan and his wife plan to retire in Haywood County.

**None of these team members desire to have a financial interest in developing a CCRC.**

END

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007

SESSION LAW 2008-188  
SENATE BILL 1627

AN ACT TO CREATE THE NORTH CAROLINA RETIREMENT COMMUNITY PROGRAM.

The General Assembly of North Carolina enacts:

**SECTION 1.** Chapter 143B of the General Statutes of North Carolina is amended by adding a new Part to read:

"Part 2K. North Carolina Certified Retirement Community Program.

**"§ 143B-437.100. North Carolina Certified Retirement Community Program – creation; powers and duties.**

(a) Program. – There is established the North Carolina Certified Retirement Community Program as part of the 21st Century Communities program of the North Carolina Department of Commerce. The Department shall coordinate the development and planning of the North Carolina Certified Retirement Community Program with other State and local groups interested in participating in and promoting the North Carolina Certified Retirement Community Program. The Department shall adopt administrative rules to implement the provisions of this Part. For purposes of this Part, "Department" means the North Carolina Department of Commerce, and "Program" means the North Carolina Certified Retirement Community Program.

(b) Purpose. – The purpose of the Program is to encourage retirees and those planning to retire to make their homes in North Carolina. In order to further this purpose, the Department shall engage in the following activities:

- (1) Promote the State as a retirement destination to retirees and those persons and families who are planning retirement both in and outside of North Carolina.
- (2) Assist North Carolina communities in their efforts to market themselves as retirement locations and to develop communities that retirees would find attractive for a retirement lifestyle.
- (3) Assist in the development of retirement communities and continuing care facilities under Article 64 of Chapter 58 of the General Statutes in order to promote economic development and a potential workforce to enrich North Carolina communities.
- (4) Encourage mature market travel and tourism to North Carolina to evaluate future retirement desirability and to visit those who have chosen to retire in North Carolina.

(c) Factors. – The Department shall identify factors that are of interest to retirees or potential retirees in order to inform them of the benefits of living in North Carolina. These factors shall be used to develop a scoring system to determine whether an applicant will qualify as a North Carolina certified retirement community and may include the following:

- (1) North Carolina's State and local tax structure.
- (2) Housing opportunities and cost.
- (3) Climate.
- (4) Personal safety.
- (5) Working opportunities.
- (6) Health care and continuing care services.

- (7) Transportation.
- (8) Continuing education.
- (9) Leisure living.
- (10) Recreation.
- (11) The performing arts.
- (12) Festivals and events.
- (13) Sports.
- (14) Other services and facilities necessary to enable persons to age in the community with a minimum of restrictions.

(d) Certification. – The Department shall establish criteria for qualifying as a North Carolina certified retirement community. To be eligible to obtain certification as a North Carolina certified retirement community, the community shall meet each of the following requirements:

- (1) Be located within 30 miles of a hospital and of emergency medical services.
- (2) Take steps to gain the support of churches, clubs, businesses, media, and other entities whose participation will increase the Program's success in attracting retirees or potential retirees.
- (3) Establish a retiree attraction committee. The retiree attraction committee shall fulfill or create subcommittees to fulfill each of the following:
  - a. Conduct a retiree desirability assessment analyzing the community with respect to each of the factors identified by the Department and submit a report of the analysis to the Department.
  - b. Send a representative of the retirement attraction committee to attend State training meetings conducted by the 21st Century Communities program during the certification process.
  - c. Raise funds necessary to run the Program, organize special events, and promote and coordinate the Program with local entities.
  - d. Establish a community image, evaluate target markets, and develop a marketing and public relations plan designed to accomplish the purpose of the Program.
  - e. Develop a system that identifies and makes contact with existing and prospective retirees, that provides tour guides when prospects visit the community, and that responds to inquiries, logs contacts made, invites prospects to special community events, and maintains continual contact with prospects until the prospect makes a retirement location decision.
- (4) Remit an application fee to the 21st Century Communities program equal to the greater of ten thousand dollars (\$10,000) or the product of fifty cents (50¢) multiplied by the population of the community, as determined by the most recent census.
- (5) Submit the completed marketing and public relations plan designed to accomplish the purpose of the Program to the Department.
- (6) Submit a long-term plan outlining the steps the community will undertake to maintain or improve its desirability as a destination for retirees, including corrections to any services or facilities identified in the retiree desirability assessment.

**"§ 143B-437.101. North Carolina Certified Retirement Community Program – administration.**

(a) Administration and Support. – Upon being certified as a North Carolina certified retirement community, the 21st Century Communities program shall provide the following assistance to the community:

- (1) Assistance in the training of local Program staff and volunteers.
- (2) Ongoing oversight and guidance in marketing and updating on national retirement trends.
- (3) Inclusion in the State's national advertising and public relations campaigns and travel show promotions, including a prominent feature on the Department's Web site.
- (4) Eligibility for State financial assistance for brochures, support material, and advertising.
- (5) An annual evaluation and progress assessment on maintaining and improving the community's desirability as a home for retirees.

(b) Expiration. – A community's certification under this section expires on the fifth anniversary of the date the initial certification is issued. To be considered for recertification by the 21st Century Communities program, an applicant community shall submit the following:

- (1) A completed new application in accordance with the requirements of this Part.
- (2) Data demonstrating the success or failure of the community's efforts to market and promote itself as a desirable location for retirees and potential retirees.
- (3) The fee required by G.S. 143B-437.100(d)(4)."

**SECTION 2.** Pilot program. – The Department of Commerce, in conjunction with the Second Career Center of Robeson Community College, shall lead the implementation of the North Carolina Certified Retirement Community Program through a pilot project. During this pilot implementation, the community selection criteria and scoring methodology will be defined, applications will be developed, educational sessions will be conducted, and marketing strategies will be developed. The City of Lumberton will serve as the pilot community for this program. In recognition of the assistance, the City of Lumberton shall provide in this pilot implementation, application fee charged for the City's initial application shall be twenty-five dollars (\$25.00). The Department of Commerce, the Second Career Center, and the City of Lumberton shall jointly work to organize the community and prepare its application. The Department of Commerce shall report on the implementation of this section by April 1, 2009, to the Joint Legislative Commission on Governmental Operations and to the House and Senate Appropriations Subcommittees on Natural and Economic Resources.

**SECTION 3.** Section 2 of this act becomes effective October 1, 2008. The remainder of this act becomes effective July 1, 2010.

In the General Assembly read three times and ratified this the 18<sup>th</sup> day of July, 2008.

s/ Marc Basnight  
President Pro Tempore of the Senate

s/ Joe Hackney  
Speaker of the House of Representatives

s/ Michael F. Easley  
Governor

Approved 5:10 p.m. this 7<sup>th</sup> day of August, 2008

# Waynesville, North Carolina

## Designation as a Certified Retirement Community





The NC Certified Retirement  
Community program  
Effective July 1, 2010  
Coordinated by The Economic  
Development Partnership of NC  
(VisitNC.com)

# Purpose?



# Economic Development!

# Certification Benefits

- Web-based Marketing & Promotion
- E-Marketing Newsletter
- Social Media
- Visitor Services
- Leads from Trade & Consumer Shows

DO ↓

TRIP IDEAS

CITIES & REGIONS ↓

UPCOMING EVENTS

PLACES TO STAY

TRAVEL DEALS

WORLD-CLASS  
ICE CLIMBING

LINK TO VISITNC.COM

1.13M HITS FROM 374K UNIQUE VISITORS AVG./MONTH

Get your TRAVEL GUIDE  
and order FREE guides and maps

Subscribe to OUR E-NEWSLETTERS  
Get the latest news, events and travel deals

Be SOCIAL       
Join us for travel tidbits, giveaways and more

Discover PROJECT 54  
Explore unique spots across North Carolina

# Imagine returning home to a vacation.

*Retire in North Carolina*

ur distinct seasons to its geographic diversity and welcoming communities, North Carolina draws those seeking retirement options that feed the e soul. Retiring to North Carolina is like coming home – it's a place offering comfortable lifestyles, a low cost of living, activities galore, art and cul ral beauty and a heritage of gracious hospitality. Whether you love our mountains, beaches or bustling urban centers, retiring to North Carolina wonderful choice.



**FEATURE ON RETIRENC.COM**  
DEDICATED PAGE FOR EACH CERTIFIED COMMUNITY

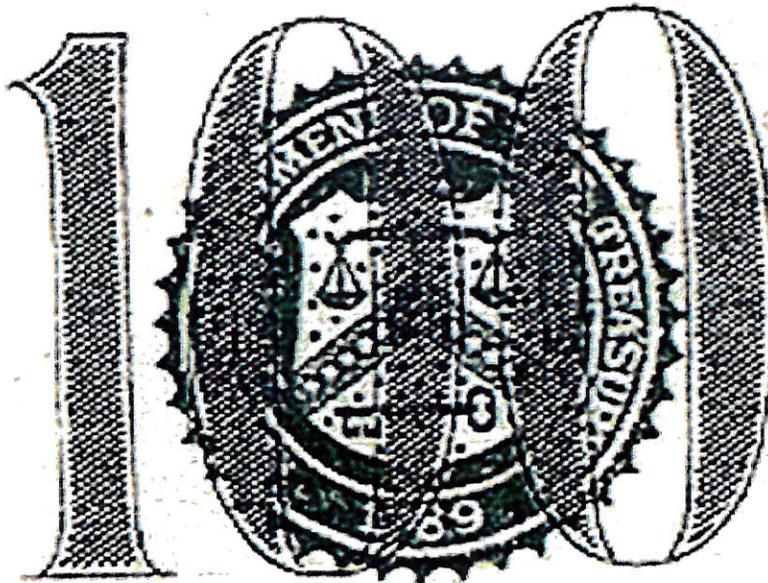
# Requirements for Certification

- Incorporated town, municipality or city
- Establish a retiree attraction committee
- Submit marketing strategy for retiree attraction
- Engage local government & other partners
- Gain support of churches, clubs, businesses, media

# Additional Requirements

- Conduct a retiree desirability assessment for town
- Establish community image; evaluate target markets
- Develop system to identify, track & contact prospects
- Submit LT plan to maintain community desirability
- Raise funds for program & special events

# UNFUNDED SUMMES OF NEW MERICIA



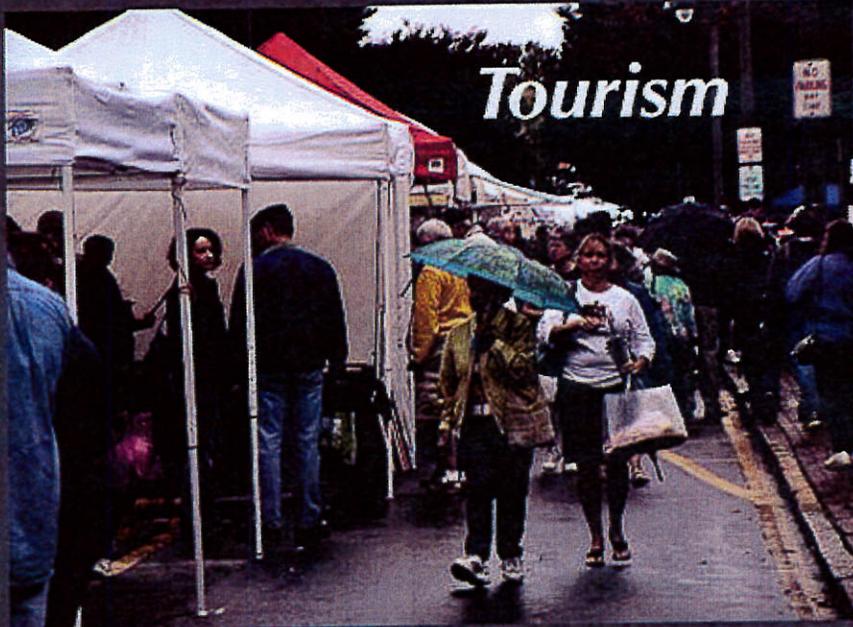
Application fee is \$10,000 (5 year certification)  
--additional budget for program director &  
operations

Why pursue this?



# The Opportunity

- 77 million Baby Boomers in the US
- 10,000 Boomers per day turn 65
- 65 million visitors to the Carolinas annually
- Haywood County age 55+ demographic is growing



*Tourism*



*Homebuilding*



*Retail*



*Healthcare*



The work we do to gain certification  
will also help us attract  
a Continuing Care Retirement Community

A photograph of two pigeons perched on a stone ledge. The pigeon in the foreground is in profile, facing right, with its head turned slightly towards the viewer. It has a grey head, a red eye, and iridescent green and purple neck feathers. Its body is covered in dark grey and black feathers with white speckles. The pigeon in the background is partially obscured and also facing right. The stone ledge is made of large, rectangular blocks. The background is out of focus, showing some architectural elements and a bright light source.

In other words...

2 birds/1 stone

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN  
REQUEST FOR BOARD ACTION**

**Meeting Date: April 14, 2015**

**SUBJECT:** Public Hearing for Consideration of amendment of Section 3.10.4 of the Land Development Standards regarding minimum lot size, buffering and design for Monopole Wireless Communication Towers.

**AGENDA INFORMATION:**

**Agenda Location:** Public Hearings  
**Item Number:** 6-C  
**Department:** Development Services  
**Contact:** Paul Benson, Town Planner  
**Presenter:** Marcy Onieal, Town Manager

**BRIEF SUMMARY:**

Monopole Wireless Communication Towers require a Special Use Permit in all zoning districts within the Town of Waynesville's jurisdiction. Proposed towers are required to meet a number of specific location and design standards (LDS section 3.10.4) and the Planning Board must make findings of fact that they also meet six general standards (LDS section 15.10.2) regarding impact on surrounding properties and infrastructure.

The location standards, specifically 3.10.4.B.2, require a minimum lot size of 1 acre. The applicant, Prime Tower Development LLC, requests that this minimum lot size be eliminated for the reasons stated in the attached application.

Staff recommends this amendment along with amendments to buffer and design standards as outlined in the attached staff report.

At their special meeting of February 23, 2015 the Planning Board voted to recommend that these amendments be adopted.

**MOTION FOR CONSIDERATION:**

To adopt amendments to Section 3.10.4 of the Land Development Standards regarding minimum lot size, buffering and design for Monopole Wireless Communication Towers, as presented.

**FUNDING SOURCE/IMPACT:** None

**ATTACHMENTS:**

- February 23, 2015 Planning Board Minutes

**MANAGER'S COMMENTS AND RECOMMENDATIONS:** Manager recommends approval.

MINUTES OF THE TOWN OF WAYNESVILLE PLANNING BOARD  
SPECIAL MEETING  
Town Hall – 9 South Main St., Waynesville, NC 28786  
February 23, 2015

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**THE WAYNESVILLE PLANNING BOARD** held a special meeting on February 23, 2015 at 5:30 p.m. in the board room of the Town Hall, 9 South Main Street, Waynesville, NC.

**A. CALL TO ORDER**

**1. Welcome/Calendar/Announcements**

Chairman Patrick McDowell welcomed everyone and called the meeting to order at 5:40 p.m.

The following members were present:

Patrick McDowell  
Marty Prevost  
Shell Isenberg  
Robert Herrmann  
Bucky Dykes

The following staff members were present:

Eddie Ward, Deputy Town Clerk  
Paul Benson, Town Planner

**2. Minutes of November 17, 2014**

*Board Member Marty Prevost made a motion, seconded by Board Member Robert Herrmann, to approve the minutes of November 17<sup>th</sup>, 2014 as presented. The motion passed unanimously.*

**B. NEW BUSINESS**

**3. Consideration of Land Development Standards text amendment – Monopole Wireless Communication Tower**

Chairman Patrick McDowell asked Town Planner, Paul Benson, to give a staff report. Mr. Benson said all proposed wireless communication towers within the Town of Waynesville's zoning districts require a Special Use Permit. Towers are required to meet a number of specific location and design standards. The Planning Board must make findings of fact that six general standards, (LDS section 15.10.2), regarding impact on surrounding properties and infrastructures, are met. The location standards, specifically Land Development Standards section 3.10.4.B.2, require a minimum lot size of one acre. The applicant, Prime Tower Development LLC, is requesting that the minimum lot size be eliminated.

## **Staff Recommendations**

Currently, in non-residential districts, there are generally no minimum lot sizes and minimal setbacks to encourage a denser development pattern. Typically, residential districts have minimum lot sizes ranging from 1/6 to 1/2 acre. The larger lot sizes required for Monopole Wireless Communication Towers are intended to lessen adverse impacts on neighboring properties from structures that are significantly higher than most permitted structures.

Mr. Benson said there were some related items in the Land Development Standards that could be addressed while considering this amendment.

Staff recommendations are as follows:

1. That section 3.10.4.B.2 be amended to read: "Monopole wireless communication towers may only be located on a lot size of one (1) acre or greater in residential districts (RL, RM, NR, and UR). In all other districts the minimum lot size shall be established by 2.4.2 Table of Dimensional Standards by Mixed-Use/Non Residential District.

2. That section 3.10.4.B.6 be amended to read: "Monopole wireless communications towers shall be landscaped with a buffer of plant materials that effectively screens the view of tower compound from adjacent property. Where the side of the tower compound is adjacent to residentially zoned or used property such buffers shall meet the standards of section 8.4.2 for a Type A buffer yard. In all other cases such buffers shall meet the standards of section 8.4.2 for a Type C buffer yard.

3. That section 3.10.4.C.2 be amended to read: "The use of stealth design technology is required. Towers and antennas shall be designed to blend into the surrounding environment through the use of color and/or camouflaging architectural treatment. The Planning Board may condition approval on the use of specific concealment techniques where it determines that doing so is necessary or desirable."

4. In section 3.10.4.D.1 the reference to Board of Adjustment should be corrected to Planning Board as the agency that reviews Special Use Permits.

Mr. Benson introduced Mr. John Behnke of Prime Tower Development LLC. Mr. Behnke explained that the wireless industry has moved to self support towers and are placed on small lease hold footprints. Much of the Town of Waynesville is densely developed and in the future it will be increasingly difficult to locate a one plus acre tract of land and meet engineering requirements. The design for any given site location comes with highly sophisticated design models which are very specific to the location. The Town will be better serviced to let industry professionals, called Site Acquisition Specialists, research and submit site locations to the Planning Department for consideration.

Mr. Behnke stated that this text amendment, if approved, would give everyone involved more choices in a tower site. Site Specialists for Prime Tower have identified a commercial property on Hazelwood Avenue that could be purchased. Prime Tower would then deed the property to the Town of Waynesville in exchange for a reduced lease agreement for the placement of the tower.

Mr. Benson stated that Prime Tower would have to submit a request for a Special Use Permit. That would require sworn testimony stating the need for the Tower. Mr. Behnke said they would be applying for the permit in the near future.

***A motion was made by Board Member Robert Herrmann, seconded by Board Member Shell Isenberg, to approve the Land Development Standards Text Amendment as written in the staff report. The motion passed unanimously.***

**4. New Planning Board Member Applications (Hunter Murphy and Phillip Gibbs)**

The Planning Board received two applications for a vacancy on the Board. The applications, submitted by Hunter Murphy and Phillip Gibbs, were reviewed by the Board. The Board was in agreement that both applications be submitted to the Board of Aldermen for a decision on filling the vacancy.

**C. ADJOURN**

***With no further business, it was the consensus of the Board to adjourn the meeting at 6:10 p.m.***

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Patrick McDowell, Chairman

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Eddie Ward, Deputy Town Clerk

## Planning Board Staff Report – revised 2/10/15

Subject: LDS text amendment – Monopole Wireless Communication Tower  
Section: 3.10.4  
Applicant: Prime Tower Development LLC c/o John Behnke  
Meeting Date: February 23, 2015

### Background:

Monopole Wireless Communication Towers require a Special Use Permit in all zoning districts within the Town of Waynesville's jurisdiction. Proposed towers are required to meet a number of specific location and design standards (LDS section 3.10.4) and the Planning Board must make findings of fact that they also meet six general standards (LDS section 15.10.2) regarding impact on surrounding properties and infrastructure.

The location standards, specifically 3.10.4.B.2, require a minimum lot size of 1 acre.

The applicant, Prime Tower Development LLC, requests that this minimum lot size be eliminated for the reasons stated in the attached application.

### Staff Recommendation:

Currently, in non-residential districts (NC, BD, RC and CI) there are generally no minimum lot sizes and minimal setbacks to encourage a denser development pattern. Residential districts typically have minimum lot sizes ranging from 1/6 to 1/2 acre. Presumably the larger lot size required for Monopole Wireless Communication Towers is intended to mitigate adverse impacts on neighboring properties from structures that are significantly taller than most permitted structures.

Staff agrees with the applicant that potential adverse impacts are better addressed by minimum setbacks rather than minimum lot size. In addition, buffer standards and stealth technologies are also more effective ways to control adverse impacts. Accordingly, staff recommends:

1. That section 3.10.4.B.2 be amended to read: "Monopole wireless communication towers may only be located on a lot size of one (1) acre or greater in residential districts (RL, RM, NR, UR). In all other districts the minimum lot size shall be established by 2.4.2 Table of Dimensional Standards by Mixed-Use/Non-Residential District.
2. That section 3.10.4.B.6 be amended to read: "Monopole wireless communications towers shall be landscaped with a buffer of plant materials that effectively screens the view of tower compound from adjacent property. The standard buffer shall consist of a landscaped strip at least four (4) feet wide outside the perimeter of the compound. Where the site of the tower compound is adjacent to residentially zoned or used property such buffers shall meet the standards of section 8.4.2 for a Type A buffer yard. In all other cases such buffers shall meet the standards of section 8.4.2 for a Type C buffer yard.

3. That section 3.10.4.C.2 be amended to read: “The use of stealth design technology is required. ~~Towers and antennas shall be designed to blend into the surrounding environment through the use of color and/or camouflaging architectural treatment. The Planning Board may condition approval on the use of specific concealment techniques where it determines that doing so is necessary or desirable.~~”

Note: existing text is in black, text to be deleted is shown with strikethrough and new text is in red.

Finally, in section 3.10.4.D.1 the reference to Board of Adjustment should be corrected to Planning Board as the agency that reviews Special Use Permits.

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These changes will add some flexibility to tower location in non-residential districts by eliminating the 1 acre minimum lot size.

The staff recommendation for changes to the buffer standards would increase buffer yards from 4 feet to a minimum of 10 feet and more clearly specify the required buffer plantings, which would more effectively mitigate adverse impacts than specifying a minimum lot size.

The staff recommendation regarding stealth design technology is simply intended to clarify that a range of concealment techniques is available and that the Planning Board has the discretion to approve whatever technology is deemed most suitable for the particular situation.



**TOWN OF WAYNESVILLE PLANNING DEPARTMENT**

**Application for Land Development Standards Text Amendment**

Application is hereby made on January 7<sup>th</sup>, 2015 to the Town of Waynesville for the following amendment:

Designate the specific section(s) of the Land Development Standards being requested for change:

*Sec 3.10.4 B(2) "Monopole wireless communications towers may only be located on a lot one (1) acre or greater in size"*

Description of the requested amendment, (attach additional sheets if necessary):

*Strike subject clause from the Ordinance*

The reasons for the requested amendments, (attach additional sheets if necessary):

*The wireless industry has moved almost exclusively to self support towers (monopole or lattice styles) in the past decade and if land mass for guys/anchors was an intent of the clause then it is therefore presently moot since self support structures are placed on small leasehold footprints.*

*If setbacks were the original intent, then they are already addressed in Sec. 3.10.4 B(5). Much of the Town of Waynesville is densely developed and as future growth continues it will be increasingly difficult to locate 1+ acre tracts of land and meet RF engineering requirements. The RF engineering factor cannot be ignored because the RF design for any given site location comes with highly sophisticated design models which are very specific to location. Therefore, the Town will be better served to let industry professionals, typically called Site Acquisition Specialists, research and submit site candidates, of any size, to the Planning Dept. for consideration. This will yield a good, efficient result since RF, landowner needs and the zoning development standards for any given site are analyzed together in advance.*

**Applicant Contact Information**

Name: Prime Tower Development LLC  
c/o John Behnke

Mailing Address: P.O Box 770065, Memphis, Tennessee 38177

Phone(s): 901-494-1559

Email: [jbehnke@primetowerdevelopmet.com](mailto:jbehnke@primetowerdevelopmet.com)

A handwritten signature in blue ink that reads "John Behnke". The signature is written over a horizontal line.

Note: Text Amendment Requests require a fee of \$500.00. The request will be scheduled for the next agenda opening for the Waynesville Planning Board. Please submit application to: Town of Waynesville Planning Department, 9 South Main Street, Waynesville, NC 28786.

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN  
REQUEST FOR BOARD ACTION  
Meeting Date: April 14, 2015**

**SUBJECT:** Continuance of Public Hearing to consider adoption of an Ordinance regulating use of tobacco and related products in the Town of Waynesville

**AGENDA INFORMATION:**

**Agenda Location:** Public Hearing  
**Item Number:** 7-C  
**Department:** Administrative Services  
**Contact:** Amie Owens, Town Clerk  
**Presenter:** Marcy Onieal, Town Manager

**BRIEF SUMMARY:**

A public hearing to consider a draft ordinance regulating use of tobacco and related products in the Town of Waynesville was opened on March 24, 2015 and continued to the regular meeting of April 14, 2015, upon staff recommendation after recognizing that language in the draft had failed to adequately distinguish where restrictions would apply in public spaces on private property.

The ordinance has been revised to capture the board's original intent, which is to prohibit smoking and use of tobacco and related products in and on all town owned, occupied and maintained property, buildings and vehicles, including parks and grounds, and prohibit smoking on public sidewalks in all commercial districts and within the bounds of special events (such as parades, festivals, runs, etc. where traffic and streets are closed and event boundaries are controlled by the Town). The revised draft eliminates any reference of measurements to entrances of commercial businesses and simply bans smoking on all public sidewalks within commercially-zoned districts, as specified in the ordinance.

The revised draft ordinance calls for removing ash receptacles from all Town facilities, installing appropriate signage, and leaves a civil penalty of \$50 in place. The ordinance calls for an effective date 6 months following the adoption of the ordinance in order to provide ample time for public education and placement of signage.

On April 6, Haywood County Commissioners adopted a smoking ban, which will go into affect June 8, 2015 for all county-owned facilities (with the exception of the County Fairgrounds).

**MOTION FOR CONSIDERATION:** To continue the public hearing on the proposed Ordinance regulating use of tobacco and related products in the Town of Waynesville to the May 12<sup>th</sup> regular meeting of the Board of Aldermen.

**FUNDING SOURCE/IMPACT:** No immediate impact, although if adopted, it would be expected that the Town would expend a small amount of funding for appropriate signage and public education.

**ATTACHMENTS:**

- Resolution to Adopt Ordinance
- Draft Ordinance

**MANAGER'S COMMENTS AND RECOMMENDATIONS:** Manager recommends adoption of the ordinance upon close of the Public Hearing on May 12, 2015.

## **RESOLUTION TO ADOPT AN ORDINANCE PROHIBITING SMOKING AND THE USE OF E-CIGARETTES AND TOBACCO PRODUCTS ON CERTAIN TOWN PROPERTY**

WHEREAS, according to the Centers for Disease Control and Prevention (CDC), tobacco use and secondhand smoke exposure are leading preventable causes of illness and premature death in North Carolina and the nation<sup>1</sup>; and

WHEREAS, on January 2, 2010, “An Act To Prohibit Smoking In Certain Public Places And Certain Places Of Employment,” Session Law 2009-27, became effective, authorizing local governments to adopt and enforce ordinances “that are more restrictive than State law and that apply in local government buildings, on local government grounds, in local vehicles, or in public places;” and

WHEREAS, according to NCGS § 160A-174(a), a city may by ordinance prohibit acts or conditions detrimental to the health, safety, or welfare of its citizens; and

WHEREAS, in 2006, a report issued by the United States Surgeon General stated that the scientific evidence indicates that there is no risk-free level of exposure to secondhand smoke and that secondhand smoke has been proven to cause cancer, heart disease, and asthma attacks in both smokers and nonsmokers<sup>2</sup>; and

WHEREAS, the CDC advises that all individuals with coronary heart disease or known risk factors for coronary heart disease should avoid all indoor environments that permit smoking<sup>3</sup>; and

WHEREAS, in 2009, the United States Food and Drug Administration (FDA) announced that an analysis of e-cigarette samples indicated that the e-cigarettes contained not only nicotine but also detectable levels of known carcinogens and toxic chemicals, including tobacco-specific nitrosamines and diethylene glycol, a toxic chemical used in antifreeze<sup>4</sup>; and

WHEREAS, the CDC reports that smoking and smokeless tobacco use are frequently initiated and established during adolescence, that most people who begin smoking during adolescence are

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<sup>1</sup> Centers for Disease Control and Prevention, Smoking and Tobacco Use Fast Facts, [http://www.cdc.gov/tobacco/data\\_statistics/facts\\_sheets/fast\\_facts/#toll](http://www.cdc.gov/tobacco/data_statistics/facts_sheets/fast_facts/#toll) (last visited Oct. 7, 2010).

<sup>2</sup> U.S. DEP'T OF HEALTH & HUMAN SERVS., THE HEALTH CONSEQUENCES OF INVOLUNTARY EXPOSURE TO TOBACCO SMOKE: A REPORT OF THE SURGEON GENERAL 11, 14-16 (2006), <http://www.surgeongeneral.gov/library/secondhandsmoke/report/index.html>.

<sup>3</sup> *See id.* at 15; Centers for Disease Control and Prevention, Smoking and Tobacco Use Health Effects of Secondhand Smoke, [http://www.cdc.gov/tobacco/data\\_statistics/fact\\_sheets/secondhand\\_smoke/health\\_effects/index.htm](http://www.cdc.gov/tobacco/data_statistics/fact_sheets/secondhand_smoke/health_effects/index.htm) (last visited March 25, 2011).

<sup>4</sup> Memorandum from B.J. Westenberg, Deputy Director, CDER/OPS/OTR, Division of Pharmaceutical Analysis to Michael Levy, Supervisor Regulatory Counsel, CDER, Office of Compliance Division of New Drugs and Labeling Compliance (May 4, 2009), available at <http://www.fda.gov/downloads/Drugs/ScienceResearch/UCM173250.pdf>; see also Press Release, United States Food and Drug Administration, FDA & Public Health Experts Warn About Electronic Cigarettes (July 22, 2009), available at <http://www.fda.gov/NewsEvents/Newsroom/PressAnnouncements/ucm173222.htm>.

addicted by the age of 20, and that adolescent smokeless tobacco users are more likely than nonusers to become adult cigarette smokers; and

WHEREAS, children model adult behavior and benefit from positive models of non-smoking behavior and positive reinforcement of healthy lifestyle messages through exposure to smoke-free and tobacco-free public areas; and

WHEREAS, small children playing in town athletic fields and playgrounds are more likely to ingest cigarette butts if they are discarded and accessible; and in 2008, American Poison Control Centers received over 7,000 reports of children under the age of 6 being poisoned by contact with tobacco products; and

WHEREAS, the Town of Waynesville is committed to protecting the health of individuals in public places by eliminating exposure to secondhand smoke; and

WHEREAS, the Town of Waynesville provides support to employees and residents who want to quit the use of tobacco products. Employees and residents are also encouraged to talk to their health care provider about quitting ask about appropriate pharmacotherapy available through their health insurance plan or employee's insurer, and use the free quitting support services of the North Carolina Tobacco Use Quitline at 1-800-QUIT-NOW (1-800-784-8669); and

WHEREAS, the use of e-cigarettes in workplaces and public places where smoking of traditional tobacco products is prohibited creates concern and could lead to difficulties in enforcing the smoke-free laws;

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Waynesville, North Carolina, that it is in the best interests of the citizens of the Town of Waynesville to adopt an ordinance prohibiting smoking and the use of e-cigarettes and tobacco products in Town buildings, vehicles, grounds, and the town park system and prohibiting smoking and the use of e-cigarettes on sidewalks in the Town business districts.

Adopted this    day of \_\_\_\_\_, 20\_\_\_\_.

**TOWN OF WAYNESVILLE**

\_\_\_\_\_  
Gavin A. Brown, Mayor

ATTEST:

\_\_\_\_\_  
Amanda W. Owens, Town Clerk

\_\_\_\_\_  
Marcia D. Onieal, Town Manager

## **Prohibition of Smoking and E-Cigarette and Tobacco Use in Town Buildings, Town Vehicles, Town Grounds, and the Town Park System and Prohibition of Smoking and the Use of E-Cigarettes on Sidewalks in Town Business Districts.**

### **Section 42.5. Authority.**

This section is enacted pursuant to authority conveyed by N.C.G.S. §130A-498 and 160A-174(a).

### **Section 42.6. Definition of Terms.**

The following definitions are applicable to this Section:

- a. *E-cigarette* – Any electronic oral device, such as one composed of a heating element, battery, and/or electronic circuit, which provides a vapor of nicotine or any other substances, and the use or inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or under any other product name or descriptor. An e-cigarette does not include any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.
- b. *Employee* – A person who is employed by the Town of Waynesville, or who contracts with the Town or a third person to perform services for the Town, or who otherwise performs services for the Town with or without compensation.
- c. *Enclosed area* – An area with a roof or other overhead covering of any kind and walls or side coverings of any kind regardless of the presences of openings for ingress and egress, on all sides or on all sides but one.
- d. *Sidewalk* – A sidewalk that is owned, leased, or occupied by the Town of Waynesville, including those that are controlled and maintained by the Town of Waynesville.
- e. *Smoking* – The use or possession of a lighted cigarette, lighted cigar, lighted pipe, or any other lighted tobacco product.
- f. *Temporary Special Event or Activity* - Any indoor or outdoor public gathering or celebration sponsored by the Town of Waynesville, including dance, music, and dramatic productions, entertainment, amusements, festivals, carnivals, parades, bicycle rides, walks, and runs and any event that will not comply with usual traffic regulations or controls, requiring temporary closure of streets, sidewalks or alleyways and for which permission is granted by the Town of Waynesville Board of Aldermen.
- g. *Tobacco product* – Any product containing, made, or derived from tobacco that is intended for human consumption, whether chewed, smoked, absorbed, dissolved, inhaled, snorted, sniffed, or ingested by any other means, or any component part or accessory of a tobacco product, including but not limited to: cigarettes; cigars, little cigars, chewing tobacco, snus, and snuff. A tobacco product excludes any product that has been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, as a tobacco dependence product, or for other medical purposes, and is being marketed and sold solely for such an approved purpose.

- h. *Town building* – A building owned, leased as lessor, or the area leased as lessee and occupied by the Town and includes, but is not limited to, offices, restrooms, indoor walkways, stairwells, entrances, passageways, break rooms, lobbies, and work areas.
- i. *Town grounds* —An unenclosed area owned, leased, or occupied by the Town of Waynesville.
- j. *Town park system* – Any tract of land or body of water comprising part of the Town of Waynesville’s parks, playgrounds, recreational areas, trails, and greenways, including but not limited to the thirty-nine acres of parks identified as: Waynesville Recreation Center, Waynesville State Park, Waynesville Disc Golf Course, Old Armory Recreation Center, East Street Park, Recreation Park, Vance Street Park, Sulphur Springs Park, Hazelwood Park, Pepsi Dog Park and any areas designated as parks or greenways in the future.
- k. *Town vehicle* – A passenger-carrying vehicle owned, leased, or otherwise controlled by the Town of Waynesville and assigned permanently or temporarily by the Town of Waynesville to Town employees, agencies, institutions, or facilities for official Town business.
- l. *Universal ‘No Smoking’ Symbol* – Symbol consisting of a pictorial representation of a burning cigarette enclosed in a red circle with a red bar across it.
- m. *Universal ‘No Smoking and Use of Tobacco Products Prohibited’ Symbol* – Symbol consisting of a pictorial representation of a burning cigarette and a tobacco product enclosed in a red circle with a red bar across it.

**Section 42.7 Areas where smoking and the use of tobacco products and e-cigarettes are prohibited.**

A. Smoking and the use of tobacco products and e-cigarettes are prohibited in the following locations:

- (1) Town buildings;
- (2) Town grounds;
- (3) Town vehicles;
- (4) The Town park system;
- (5) Town buildings and grounds and privately owned buildings and grounds while Temporary Special Events or Activities, as defined above, are taking place.

B. Smoking and the use of tobacco products and e-cigarettes are not prohibited within the confines of private vehicles while parked on Town grounds, in the Town park system, or anywhere where smoking and the use of tobacco products and e-cigarettes are otherwise prohibited by this section.

**Section 42.8 Areas where smoking and the use of e-cigarettes are prohibited.**

- (a) Smoking and the use of e-cigarettes are prohibited on sidewalks in all districts classified as business districts, including, but not limited to, the Municipal Service District (downtown), the Central Business District (CBD), Hazelwood Business District (H-BD), South Main Street Business District (SM-BD), Regional Center (RC),

Dellwood/Junaluska Regional Center (DJ-RC), Hyatt Creek Regional Center (HC-RC), and Russ Avenue Regional Center (RA-RC), as outlined by the Town of Waynesville Code of Ordinances, Appendix A – Land Development Standards, Chapter 2 – District Provisions, Sections 2.2, 2.3.6 and 2.3.7.

#### **Section 42.9 Litter from tobacco products and e-cigarette devices**

- (a) It shall be unlawful for anyone to deposit any portion of a cigarette, cigar, smoking or e-cigarette device, or any refuse related to smoking on property, sidewalks, streets, alleys, and rights-of-way owned, leased, or occupied by the Town, except in a receptacle designated for that purpose. Littering or failure to use indicated receptacles is subject to civil penalty.
- (b) It shall be unlawful for anyone to spit smokeless tobacco anywhere on Town grounds or in the Town park system. Spitting of smokeless tobacco on Town grounds is subject to civil penalty.

#### **Section 42.10 Implementation Requirements**

- (a) The Town shall post signs that meet all the requirements in Section 42.11 of this ordinance.
- (b) The Town shall remove all ashtrays and other smoking receptacles from Town buildings and grounds.
- (c) Town employees shall make every effort to ensure compliance with this policy, including contacting law enforcement personnel if necessary.

#### **Section 42.11 Signage**

The signs required by Section 42.10 must:

- (a) State that smoking is prohibited and include the universal “No smoking” symbol or state that smoking and the use of tobacco products are prohibited and include the universal “No Smoking and Use of Tobacco Products Prohibited” symbol, as applicable. In lieu of or in addition to stand-alone signage, smoking, e-cigarette and tobacco use restrictions can be incorporated into comprehensive rules signage in text form where feasible.
- (b) Be of sufficient size to be clearly legible to a person of normal vision and be conspicuously posted.
- (c) Be posted at entrances to Town buildings and in other locations within the buildings reasonably calculated to inform employees and the public of the prohibition.

(d) Be posted on Town grounds in locations and at intervals reasonably calculated to inform employees and the public of the prohibition.

(e) It shall be unlawful for any person to remove or deface any placard or sign erected by or under the authority of this section.

**Section 42.12 Enforcement and Penalties**

(a) *Penalty for Violation.* Violation of Sections 42.7, 42.8, and 42.9 shall be punishable by a civil penalty of not more than fifty dollars (\$50.00).

(b) A citation may be issued by any Town employee acting in an enforcement capacity and within their responsibilities related to the issuing of citations. A citation issued under this section has no consequence other than as set forth in (a) above, and no court costs may be assessed.

(c) *Additional sanctions for employees.* In addition to any penalty under this section, employees of the Town who violate this ordinance shall be subject to disciplinary action consistent with the Town’s human resources policies.

**Section 42.13 Severability; Conflict of Laws**

If this ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of the ordinance that can be given separate effect and to that end the provisions of this ordinance are declared to be severable. Whenever the provisions of this ordinance conflict with other ordinances of the Town of Waynesville, this ordinance shall govern.

**Section 42.14 Effective Date**

This ordinance shall be effective six months after the date adopted.

Adopted this    day of \_\_\_\_\_, 20\_\_.

**TOWN OF WAYNESVILLE**

\_\_\_\_\_

Gavin A. Brown, Mayor

ATTEST

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**REQUEST FOR BOARD ACTION**  
**Meeting Date: April 14, 2015**

**SUBJECT:** Award Purchase of Two (2) Knuckleboom Loaders for Public Services Street Division

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 8-D  
**Department:** Public Services/Purchasing  
**Contact:** Julie Grasty, Purchasing Manager  
David Foster, Public Services Director  
Daryl Hannah, Street Superintendent  
**Presenter:** Julie Grasty, Purchasing Manager

**BRIEF SUMMARY:**

As provided by NCGS §143-129 (e) (3) there exists an exception to the state's formal bidding requirements, which allows NC municipalities to participate in qualified group purchasing programs (of which NJPA is one) in an arrangement similar to that offered under state contract for interlocal piggy-back bidding.

The NJPA is a public agency serving as municipal contracting agency, operating under the legislative authority of Minnesota Statute §123A.21. The NJPA engages in a bidding process which meets all requirements of NC General Statutes. Upon the award by NJPA of a group purchasing contract, the terms of that purchase can then be made available to local governments nationwide without further bidding requirements on the part of the local government. Local governments achieve a lower cost of purchase due to the economies of scale which otherwise would likely not be available to a single local government operating unilaterally.

It is the intent of our Public Services and Purchasing staff to purchase through NJPA two (2) new Pac Mac Knuckleboom Loaders mounted on 2015 International 4300 Chassis for \$ 127,998.34 each for a total of \$ 255,996.68 for delivery by June 30, 2015.

These are stock items, available for immediate delivery and available at lower cost than if we had to order custom-built and then await many weeks for delivery.

**MOTION FOR CONSIDERATION:**

To approve the purchase of two (2) Pac Mac Knuckleboom Loaders from Carolina Environmental Systems, Inc. of Kernersville, NC through NJPA contract as presented.

**FUNDING SOURCE/IMPACT:**

Funding is available based on savings identified in the current Public Services-Streets and Sanitation operating budget -- specifically, salary savings from vacancies, reduction in tip fees, fuel costs reductions, and other line items savings from department efficiencies, and will not require financing. No budget amendment is required.

**ATTACHMENTS:** Spec Sheets

**MANAGER'S COMMENTS AND RECOMMENDATIONS:**

The Public Services Department provides citizens brush collection and junk/white good collection on alternating weeks throughout the year. These collection services, as currently provided, are all very labor intensive and time consuming, requiring multiple pieces of equipment and a relatively large complement of labor to complete. Since the process requires all waste to be loaded manually, a significant reduction in employee injury risk and equally significant increase in production can be attained by automating the collection using knuckleboom equipment as requested in this purchasing authorization request.

The Manager recommends that the Board make and approve the previously noted motion approving the Pac Mac knuckleboom purchase.

# Carolina Environmental Systems, Inc.

2750 Highway 66 S, Kernersville, NC 27284

2701 White Horse Rd., Greenville, SC 29611

800-239-7796

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3-24-15                      Revised International chassis

To: City of Waynesville

Attn: Julie Grasty

Re: Knuckleboom loader quote, 2 units

Pac-Mac ( Hol-Mac ) NJPA contract number 031014

Loader:

New Pac Mac model KB20H

Dual stand up controls, **lever** operated \*

Tandem pump/electric (hot) shift PTO

H-style outriggers

16' to 20' reach

No exposed hoses around operator

60" x 48" grapple with dual top mount clamp cylinders, replaceable cutting edges, shields over fittings and 360° continuous rotation

Boom rotation: 270°

Large 25 ¾" x 3 ½" steel slewing ring

Internal load holding valves on all boom cylinders

Outrigger down warning light and alarm

Body:

Model TKB 18/24

18' long – 24 cubic yards

42" front sides tapered up to 72"

Dual barn doors,

Dual outboard lift cylinders

Two rear amber, LED, alternating flash safety lights in upper door post

Rear door posts – double walled

Folding ICC bumper

LED body lights

Heat shield under RH side of catwalk

Freight, mounting and paint

Pac-Mac warranty: 1 year complete, 2 year on turntable drive motor, 3 year structural

Color: Loader: Safety Red

Body: Black

Body price \$ 54,215.00

Chassis: New 2015 International model 4300

Engine: Cummins ISB 260 HP, 660 ft. lbs torque

Transmission: Allison model 3500 RDS – 5 speed

188” cab to axle, 96” after frame

120,000 KSI frame

33,000 lbs GVWR

12,000 lbs front axle, 12,000 lbs suspension

21,000 lbs rear axle, 23,500 lbs suspension

11R x 22.5 tires/rims

**Rear ratio: 5:29....modified see below \***

Other: Air ride driver’s seat, 2 man passenger seating, horizontal exhaust

AM/FM radio, 50 gallon fuel tank, 7 gallon DEF tank, air conditioning,

air dryer, tilt steering wheel

International base warranty: 2 years

Cab color: white

- **Price includes changing rear gear ratio to 6:14, 6:43 or 7:17**

Chassis price \$ 69,990.34

Total net price, body and chassis, **each, \$ 124,205.34**

Delivery: chassis in stock, subject to prior sale, allow approx 7-9 weeks for body installation,

Price includes delivery to you.

Options, not included in above pricing:

1. hydraulic joy sticks in lieu of levers \$ 2,785.00 \*
2. window shade style tarp system 1,008.00

We certainly appreciate the opportunity to submit this information. If you have questions or need additional information, please do not hesitate to contact me.

Sincerely,

***Matt Keeble***

Matt Keeble

**Prepared For:**  
CAROLINA ENVIRONMENT SYSTEMS, INC.  
MATT KEEBLE  
PO Box 830  
Kernersville, NC 27285-0830  
(336)869 - 9900  
Reference ID: N/A

**Presented By:**  
WATERS INTERNATIONAL  
Kenneth Tillman  
65 HWY 19 NORTH  
MERIDIAN MS 39304 -  
(601)693-4807

Thank you for the opportunity to provide you with the following quotation on a new International truck. I am sure the following detailed specification will meet your operational requirements, and I look forward to serving your business needs.

**Model Profile**  
**2015 4300 SBA 4X2 (MA025)**

<b>APPLICATION:</b>	Packer - Manual Side Loader
<b>MISSION:</b>	Requested GVWR: 33000. Calc. GVWR: 33000 Calc. Start / Grade Ability: 30.15% / 2.08% @ 55 MPH Calc. Geared Speed: 79.1 MPH
<b>DIMENSION:</b>	Wheelbase: 254.00, CA: 186.90, Axle to Frame: 96.00
<b>ENGINE, DIESEL:</b>	{Cummins ISB 260} EPA 2010, 260 HP @ 2400 RPM, 660 lb-ft Torque @ 1600 RPM, 2600 RPM Governed Speed, 260 Peak HP (Max)
<b>TRANSMISSION, AUTOMATIC:</b>	{Allison 3500_RDS_P} 5th Generation Controls; Wide Ratio, 5-Speed, With Overdrive; Refuse/Mixer; Includes Oil Level Sensor, With PTO Provision, Less Retarder, With 60,000-lb GVW Max. Omit Item (Clutch & Control)
<b>CLUTCH:</b>	{Meritor MFS-12-122A} I-Beam Type, 12,000-lb Capacity
<b>AXLE, FRONT NON-DRIVING:</b>	{Meritor MS-21-14X-3DCL} Single Reduction, 21,000-lb Capacity, 190 Wheel Ends, Driver Controlled Locking Differential Gear Ratio: 5.29
<b>AXLE, REAR, SINGLE:</b>	Conventional
<b>CAB:</b>	(2) 11R22.5 G661 HSA (GOODYEAR) 497 rev/mile, load range G, 14 ply
<b>TIRE, FRONT:</b>	(4) 11R22.5 G622 RSD (GOODYEAR) 497 rev/mile, load range G, 14 ply
<b>TIRE, REAR:</b>	
<b>SUSPENSION, RR, SPRING, SINGLE:</b>	Vari-Rate; 23,500-lb Capacity, With 4500 lb Auxiliary Rubber Spring
<b>PAINT:</b>	Cab schematic 100GA Location 1: 9219, Winter White (Std) Chassis schematic N/A

<u>Code</u>	<u>Description</u>
MA02500	Base Chassis, Model 4300 SBA 4X2 with 254.00 Wheelbase, 186.90 CA, and 96.00 Axle to Frame.
1570	TOW HOOK, FRONT (2) Frame Mounted
1CAH	FRAME RAILS Heat Treated Alloy Steel (120,000 PSI Yield); 10.375" x 3.705" x 0.438" (263.5mm x 94.1mm x 11.1mm); 456.0" (11582mm) Maximum OAL
1LLD	BUMPER, FRONT Full Width, Aerodynamic, Steel; 0.142" Material Thickness
1SAL	CROSSMEMBER, REAR, AF (01)
1VZY	SUBSTITUTE BILL OF MATERIAL Inmagusa Frame Rails ILO Metalsa Frame Rails
1WEJ	WHEELBASE RANGE 199" (505cm) Through and Including 254" (645cm)
1WRN	BRACKET, CAB MOUNT Heavy Duty
2ASC	AXLE, FRONT NON-DRIVING {Meritor MFS-12-122A} I-Beam Type, 12,000-lb Capacity
3ADC	SUSPENSION, FRONT, SPRING Parabolic, Taper Leaf; 12,000-lb Capacity; With Shock Absorbers
4091	BRAKE SYSTEM, AIR Dual System for Straight Truck Applications
4732	DRAIN VALVE {Berg} Manual; With Pull Chain, for Air Tank
4AZA	AIR BRAKE ABS {Bendix AntiLock Brake System} Full Vehicle Wheel Control System (4-Channel)
4EBS	AIR DRYER {Bendix AD-9} With Heater
4ESX	BRAKE CHAMBERS, FRONT AXLE {Haldex} 20 SqIn
4EVK	BRAKE CHAMBERS, REAR AXLE {Haldex LC3030LHD} 30/30 Spring Brake
4JCJ	BRAKES, FRONT, AIR CAM S-Cam; 16.5" x 5.0"; Includes 20 Sq. In. Long Stroke Brake Chambers
4NDB	BRAKES, REAR, AIR CAM S-Cam; 16.5" x 7.0"; Includes 30/30 Sq.In. Long Stroke Brake Chamber and Spring Actuated Parking Brake
4SPA	AIR COMPRESSOR {Cummins} 18.7 CFM Capacity
4WBX	DUST SHIELDS, FRONT BRAKE for Air Brakes
4WDM	DUST SHIELDS, REAR BRAKE for Air Brakes
5708	STEERING COLUMN Tilting
5CAL	STEERING WHEEL 2-Spoke, 18" Diam., Black
5PRR	STEERING GEAR {TRW (Ross) TAS-66} Power
7BEM	EXHAUST SYSTEM Switchback Horizontal Aftertreatment Device, Frame Mounted Right Side Under Cab; Includes Single Short Horizontal Tail Pipe, Frame Mounted Right Side Back of Cab
8000	ELECTRICAL SYSTEM 12-Volt, Standard Equipment
8518	CIGAR LIGHTER Includes Ash Cup
8GXD	ALTERNATOR {Leece-Neville AVI160P2013} Brush Type; 12 Volt 160 Amp. Capacity, Pad Mount, With Remote Sense
8HAB	BODY BUILDER WIRING Back of Standard Cab at Left Frame or Under Extended or Crew Cab at Left Frame; Includes Sealed Connectors for Tail/Amber Turn/Marker/ Backup/Accessory Power/Ground and Sealed Connector for Stop/Turn
8MEP	BATTERY SYSTEM {International} Maintenance-Free (2) 12-Volt 1300CCA Total
8RKB	RADIO {Panasonic CQ120} AM/FM, Includes Multiple Speakers, Includes Auxiliary Input

<u>Code</u>	<u>Description</u>
8TMJ	SWITCH, MARKER INTERRUPT Interrupter; for Cab and Body Clearance/Marker Lights, Single Position Blinks Lights When Headlight Switch Is In "On" or "Off" Position
8VAY	HORN, ELECTRIC Disc Style
8WCL	HORN, AIR Black, Single Trumpet, Air Solenoid Operated
8WMA	SWITCH, TOGGLE, FOR WORK LIGHT Lighted; on Instrument Panel and Wiring Effects for Customer Furnished Back of Cab Light
8WPZ	TEST EXTERIOR LIGHTS Pre-Trip Inspection will Cycle all Exterior Lamps Except Back-up Lights
8WTK	STARTING MOTOR {Delco Remy 38MT Type 300} 12 Volt; less Thermal Over-Crank Protection
8WWJ	INDICATOR, LOW COOLANT LEVEL With Audible Alarm
8WZK	HEADLIGHTS Halogen; Composite Aero Design for Two Light System
8XAH	CIRCUIT BREAKERS Manual-Reset (Main Panel) SAE Type III With Trip Indicators, Replaces All Fuses Except For 5-Amp Fuses
9HAD	GRILLE Chrome
9WAY	FRONT END Tilting, Fiberglass, With Three Piece Construction
10060	PAINT SCHEMATIC, PT-1 Single Color, Design 100
10210	LABEL Emissions, Fuel Economy and Noise.
10761	PAINT TYPE Base Coat/Clear Coat, 1-2 Tone
11001	CLUTCH Omit Item (Clutch & Control)
12EEU	ENGINE, DIESEL {Cummins ISB 260} EPA 2010, 260 HP @ 2400 RPM, 660 lb-ft Torque @ 1600 RPM, 2600 RPM Governed Speed, 260 Peak HP (Max)
12TSY	FAN DRIVE {Borg-Warner SA85} Viscous Type, Screw On
12UYE	RADIATOR Aluminum; 2-Row, Cross Flow, Over Under System, 717 SqIn Louvered, With 313 SqIn Charge Air Cooler. With In-Tank Transmission Cooler
12VBR	AIR CLEANER With Service Protection Element
12VXU	THROTTLE, HAND CONTROL Engine Speed Control for PTO; Electronic, Stationary Pre-Set, Two Speed Settings; Mounted on Steering Wheel
12WPV	OIL PAN 15 Quart Capacity, For Cummins ISB Engines
12WZE	EMISSION COMPLIANCE Federal, Does Not Comply With California Clean Air Idle Regulations
12XAS	FEDERAL EMISSIONS EPA, OBD and GHG Certified for Calendar Year 2014; ISB Engines
12XAT	ENGINE CONTROL, REMOTE MOUNTED Provision for; Includes Wiring for Body Builder Installation of PTO Controls; With Ignition Switch Control for Cummins ISB Engines
13AVH	TRANSMISSION, AUTOMATIC {Allison 3500_RDS_P} 5th Generation Controls; Wide Ratio, 5-Speed, With Overdrive; Refuse/Mixer; Includes Oil Level Sensor, With PTO Provision, Less Retarder, With 60,000-lb GVW Max.
13WBL	TRANSMISSION SHIFT CONTROL {Allison} Push-Button Type; for Allison 3000 & 4000 Series Transmission
13WLP	TRANSMISSION OIL Synthetic; 29 thru 42 Pints
13WUC	ALLISON SPARE INPUT/OUTPUT for Rugged Duty Series (RDS); General Purpose Trucks, Construction
13WYU	SHIFT CONTROL PARAMETERS Allison 3000 or 4000 Series Transmissions, 5th Generation Controls, Performance Programming

<u>Code</u>	<u>Description</u>
14APL	AXLE, REAR, SINGLE {Meritor MS-21-14X-3DCL} Single Reduction, 21,000-lb Capacity, 190 Wheel Ends, Driver Controlled Locking Differential . Gear Ratio: 5.29
14VAH	SUSPENSION, RR, SPRING, SINGLE Vari-Rate; 23,500-lb Capacity, With 4500 lb Auxiliary Rubber Spring
14WMG	AXLE, REAR, LUBE {EmGard FE-75W-90} Synthetic Oil; 30 thru 39.99 Pints
15SRE	FUEL TANK Top Draw; D Style, Non Polished Aluminum, 19" Deep, 50 U.S. Gal., 189 L Capacity, with Quick Connect Outlet, Mounted Left Side, Under Cab
15WDG	DEF TANK 7 U.S. Gal. 26.5L Capacity, Frame Mounted Outside Left Rail, Under Cab
16000	FLOOR COVERING Transmission Cover, Floor Mats and Seal
16030	CAB Conventional
16HBA	GAUGE CLUSTER English With English Electronic Speedometer
16HGH	GAUGE, OIL TEMP, ALLISON TRAN
16HKT	IP CLUSTER DISPLAY On Board Diagnostics Display of Fault Codes in Gauge Cluster
16HLJ	GAUGE, DEF FLUID LEVEL
16JNT	SEAT, DRIVER {National 2000} Air Suspension, High Back With Integral Headrest, Vinyl, Isolator, 1 Chamber Lumbar, With 2 Position Front Cushion Adjust, -3 to +14 Degree Angle Back Adjust
16SDJ	MIRRORS (2) {Lang Mekra} Rectangular, 7.44" x 14.84" & 7.44" sq. Convex Both Sides, 102" Inside Spacing, Breakaway Type, Black Heads, Brackets & Arms
16SMP	SEAT, TWO-MAN PASSENGER {National} Vinyl, Less Under Seat Storage Compartment
16VHG	CAB MOUNTING HEIGHT EFFECTS Mid Cab in Lieu of Low Cab Mounting Height (Approx. 4") With Cab Air Suspension
16WCT	AIR CONDITIONER {Blend-Air} With Integral Heater & Defroster
16WJS	INSTRUMENT PANEL Center Section, Flat Panel
16WLE	STORAGE POCKET, DOOR Molded Plastic, Full Width; Mounted on Passenger Door
16WRX	CAB INTERIOR TRIM Deluxe
16WSK	CAB REAR SUSPENSION Air Bag Type
27DRN	WHEELS, FRONT {Accuride} DISC; 22.5" Painted Steel, 5-Hand Hole, 10-Stud (285.75MM BC) Hub Piloted, Flanged Nut, Metric Mount, 8.25 DC Rims; With .472" Thick Increased Capacity Disc and Steel Hubs
28DRN	WHEELS, REAR {Accuride} DUAL DISC; 22.5" Painted Steel, 5-Hand Hole, 10-Stud (285.75MM BC) Hub Piloted, Flanged Nut, Metric Mount, 8.25 DC Rims; With .472" Thick Increased Capacity Disc and Steel Hubs
7372138102	(4) TIRE, REAR 11R22.5 G622 RSD (GOODYEAR) 497 rev/mile, load range G, 14 ply
7372138107	(2) TIRE, FRONT 11R22.5 G661 HSA (GOODYEAR) 497 rev/mile, load range G, 14 ply

**Services Section:**

40109	WARRANTY Standard for Durastar 1000/4000 Series, Effective with Vehicles Built January 2, 2014 or Later, CTS-24750
	MERITOR AXLE SWAP PROGRAM INCLUDES LABOR, FREIGHT AND OIL.

**TO: Town of Waynesville Mayor and Board of Aldermen**

**FR: Buffy Phillips,  
Downtown Waynesville Association**

**DA: April 7, 2015**

**RE: STREET CLOSING requests**

1. **Block Party**, Saturday evening, **May 23**, 6-10pm  
▶ **Close Main Street 5-10:30pm** from Church St. to edge of Courthouse lawn/Justice Center
2. 5<sup>th</sup> annual **Appalachian Lifestyle Celebration, Saturday, June 13** 10am-5pm  
▶ **Close Main Street 8:45pm Friday, 12<sup>th</sup>** from Church St. to edge of courthouse lawn/Justice Center through **Sat, June 13<sup>th</sup> until 7pm** or when street is cleared.
3. **Friday Night Street Dances, June 26, July 10 & 24, August 7** 6:30-9pm  
▶ **Close Main Street 5-9:30pm** from Depot Street to end of Courthouse lawn/Justice Center  
Co-sponsored by DWA, Town of Waynesville, Smoky Mountain Folk Festival.
4. **Stars & Stripes Celebration, Saturday, July 4th** 11am-3pm  
▶ **Close top of Miller Street at North Main Street 10:30am-3pm** **DWA Staff handles placement of barricades/cones for closure** Miller Street parking lot will still be accessible from the bottom at Montgomery Street. **"Kids on Main" Patriotic Parade @ 11am coordinated with Fire and Police presence.**
5. **Folkmoot USA Parade & Opening Ceremonies July 17** Sponsored by Folkmoot USA  
▶ Parade begins at 1pm from Academy Street and parades down South Main to North Main for the Opening Ceremony on the Courthouse lawn **Police: Main Street parallel parking removed by 10am for parade and street closed as parade progresses.**
6. **International Day, Saturday, July 18** 10am-5pm *"The World Meets on Main Street"* Sponsored by HCAC, Folkmoot & DWA ▶ **Close Main Street from Pigeon & South Main to north edge of Courthouse lawn/Justice Center, Fri, July 17 @ 8:45pm through Sat, July 18, until 7pm** or when street is cleared.
7. **Block Party**, Saturday evening, **September 19** 6-10pm  
▶ **Close Main Street 5-10:30pm** from Church Street to edge of Courthouse lawn/Justice Center.
8. 32<sup>nd</sup> annual **Church Street Art & Craft Show Saturday, October 10** 10am-5pm  
▶ **Close Main Street from Pigeon & South Main to north edge of Courthouse lawn/Justice Center Fri, Oct 9 at 8:45pm through Sat, Oct 10 until 7pm** or when street is cleared.
9. 27<sup>th</sup> annual **Haywood County Apple Harvest Festival Saturday, October 17** 10am-5pm  
▶ **Close Main Street from Pigeon & South Main to North Main Street and Walnut Street, Fri, Oct 16 at 8:45pm through Sat, Oct 17 until 7pm** or when street is cleared. **This event Sponsored by Haywood Chamber will make final decision on these street locations.**
10. **Waynesville Christmas Parade**, Monday evening, **December 7** 6pm  
▶ Parade begins at corner of N Main & Walnut St. parading toward S Main to Bogart's Restaurant. Parking is removed before parade and street closed as parade progresses.  
Sponsored by Town of Waynesville, Downtown Waynesville Association, and Waynesville Kiwanis Club.
11. **"A Night before Christmas"**, Saturday evening, **December 12** 6-9pm Sponsored by DWA.  
▶ **Close Main Street 5-10pm from Pigeon Street and South Main Street to Depot Street and North Main Street**, No Parking on Main Street after 5pm.

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**REQUEST FOR BOARD ACTION**  
**Meeting Date: April 14, 2015**

**SUBJECT:** Special Events – Request for Temporary Street Closings – STAR Ranch Horse Parade

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 9b-D  
**Department:** Administrative Services  
**Contact:** Marcy Onieal, Town Manager  
**Presenter:** Marcy Onieal, Town Manager

**BRIEF SUMMARY:** A request from STAR Ranch for ASPCA’s “Help a Horse Day” Parade on Sunday, April 26, 2015 beginning at 2:00 p.m. The route is from the Methodist Church down Academy to Main to the Courthouse at Depot Street, with return to the church via Haywood Street. Horse trailers will be staged in the 1st Methodist Church parking lots beginning at 1:00 p.m.

The Downtown Waynesville Association has added this event to their calendar of events.

**MOTION:** *To approve the rolling street closures of Academy Street, Main Street, Depot Street and Haywood Street on Sunday, April 26, 2015 at 2:00 pm for the STAR Ranch ASPCA “Help a Horse Day” Parade, as presented.*

**FUNDING SOURCE/IMPACT:** There are few direct costs to the Town associated with street closings, in-kind contributions include use and storage of equipment and staff support for traffic control, event security, and emergency response.

**ATTACHMENTS:**

- Flyer from STAR Ranch
- Pictures from last year’s event

**MANAGER’S COMMENTS AND RECOMMENDATIONS:** This event has took place last year; recommend approval.

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**REQUEST FOR BOARD ACTION**  
**Meeting Date: April 14, 2015**

**SUBJECT:** Special Events – Request for Temporary Street Closing & Use of Minipark for Main Street Mile (*request of Eric Yarrington/Jason Bodnar*)

**AGENDA INFORMATION:**

**Agenda Location:** New Business  
**Item Number:** 9-D  
**Department:** Administrative Services  
**Contact:** Marcy Onieal, Town Manager  
**Presenter:** Marcy Onieal, Town Manager

**BRIEF SUMMARY:** The 6<sup>th</sup> annual Main Street Mile “Run for the Children” footrace, benefitting the Shriners Children’s Hospital in Greenville, SC, is scheduled for Friday, August 21, 2015 at 6:30 pm. Street closing is requested from 5 pm – 10 pm to set up course, and hold a post-race party with live music, food/drinks and children’s activities. The use of the Mini-park is requested from 4 pm to accommodate race registration. This event raises approximately \$5,000 annually for the Shriners Hospital, and serves as another downtown “Block Party” to attract visitors and residents alike. Waynesville Main Street Mile is a 501(c)3 organization, which has cooperated with the Police Department and Downtown Waynesville Association to sponsor this event for the last four years.

The Downtown Waynesville Association has added this event to their calendar of events for the month of August.

**MOTION:** *To approve the closing of Main Street on Friday, August 21, 2015 from 5:00 pm – 10 pm for the Main Street Mile footrace and related fundraising events associated with the annual “Run for the Children”, benefitting Shriners Hospital, Greenville, SC.*

**FUNDING SOURCE/IMPACT:** There are few direct costs to the Town associated with street closings, most notably for disposable cleaning supplies, limited staff overtime and electricity for light/sound/vendors/etc. However, the Town commits a significant level of resources in in-kind contributions of materials, use and storage of equipment and staff support for traffic control, event security, emergency response and sanitation.

**ATTACHMENTS:**

- Letter from Eric Yarrington, Race Director, dated 04-06-2015

**MANAGER’S COMMENTS AND RECOMMENDATIONS:** This event has taken place for the past five years; recommend adoption as presented.



43 Bowman Drive  
Waynesville, NC 28785  
828-452-1306, 828-452-9058 FAX  
<http://www.waynesvillemainstreetmile.com>

4/13/2015

To: Waynesville Town Manager, Mayor and Board of Alderman  
Downtown Waynesville Association, Chief Bill Hollingsed

From: Eric Yarrington, President – Waynesville Main Street Mile

Re: Proposal for 2015 Waynesville Main Street Mile

I would like to thank the Town of Waynesville for the continued support for our annual Waynesville Main Street Mile *Run for the Children*. We are excited about our 6th annual race in support of Shriners Hospital of Greenville, SC.

We have scheduled our 6th Annual race for Friday night, August 21, 2014. The race begins at 6:30 pm. The traffic assistance that has been graciously provided by the Waynesville Police Department, in addition to our volunteers, has been very successful at helping the race to be a safe and enjoyable event. In addition, it has provided for the opportunity for traffic to flow across Main Street. Traffic stops were set up at the intersections of Main Street and Walnut Street (to stop southbound traffic) and at the traffic light at Main Street and Hazelwood Avenue (to stop northbound traffic). We are requesting the same assistance for this year's race, with traffic stops being in place at 5:00 to allow for course set up and for volunteers to be placed at the appropriate cross streets.

We feel that the Waynesville Main Street Mile serves as another "Block Party" to highlight our beautiful and historic downtown. We will once again have a big post race party complete with live music, food / drinks, and many children's activities.

We are also requesting the use of the Mini-Park at the corner of N. Main and Depot St. for our registration area. We would need access to this by 4pm.

Sincerely,

Eric Yarrington

**Main Street Mile is a 501(c)(3) charitable organization**  
**Federal Tax ID #27-2955805**  
**All donations are tax deductible**

**Town of Waynesville Code of Ordinances  
Chapter 42 - Offenses and Miscellaneous  
07-14-2014**

**Sec. 42-3. - Consuming alcohol or possessing open containers of alcohol while on town recreation facilities.**

- (a) It shall be unlawful for a person while on the property of the town at any of the town's recreation facilities or parks to possess fortified or unfortified wine, spirituous liquor or any malt beverage in other than the manufacturer's unopened original container.
- (b) It shall be unlawful for a person while on the property of town recreation facilities and parks to consume fortified or unfortified wine, spirituous liquor or any malt beverage.
- (c) The definitions of fortified or unfortified wine, spirituous liquor and malt beverage shall be the same as the definition in G.S. 18B-101.
- (d) Violations of this section shall be misdemeanors, punishable in accordance with section 1-8

(Ord. No. 24-94, §§ 133.01—133.04, 9-27-1994)

**Sec. 42-4. - Consumption or possession of alcohol on the public streets and sidewalks of the town.**

- (a) It shall be unlawful for a person to consume a malt beverage or unfortified wine on the public streets or sidewalks owned, occupied or controlled by the town.
- (b) It shall be unlawful for a person to possess an open container of malt beverage or unfortified wine on the public streets or sidewalks owned, occupied or controlled by the town.
- (c) It shall be unlawful for any person to possess or consume malt beverages or unfortified wine on public streets, sidewalks, alleys or parking lots which are closed to regular traffic for special events.
- (d) For the purpose of this section, the term "open container" means a container with a seal that has been broken or a container other than the manufacturer's unopened original container. The terms "malt beverages" and "unfortified wine" are defined in G.S. 18B-101.

(e) The board of aldermen may adopt a resolution making other provisions for the possession and consumption of malt beverages and/or unfortified wine at special events of the town or at special community festivals. Any resolutions that may be adopted shall provide for the specific times, dates and geographical limitations of the special event or festival.

- (f) Violations of subsections (a), (b) and (c) of this section shall be misdemeanors, punishable upon conviction in accordance with section 1-8

(Ord. No. 14-02, 8-13-2002)

**Cross reference—** Streets, sidewalks and other public places, ch. 46.