

MINUTES OF THE TOWN OF WAYNESVILLE TOWN COUNCIL
Regular Meeting
March 11, 2025

THE WAYNESVILLE TOWN COUNCIL held a regular meeting on Tuesday, March 11, 2025, at 6:00pm in the Town Hall Board Room located at 9 South Main Street Waynesville, NC.

A. CALL TO ORDER

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

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

The following staff members were present:

Rob Hites, Town Manager
Jesse Fowler, Assistant Town Manager
Page McCurry, Human Resources Director
Brittany Angel, Human Resources Coordinator
Elizabeth Teague, Director of Development Services
Alex Mumby, Land Use Administrator
Fire Chief Chris Mehaffey
Police Chief David Adams
Lt. Shaun Messer

Members of the Media:

Paul Nielson, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and reminded everyone that the next Council meeting is March 25th.

B. PUBLIC COMMENT

There was no public comment.

C. ADDITIONS OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

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

D. CONSENT AGENDA

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

2.
 - a. Motion to approve the February 25, 2025 Regular Scheduled Meeting Minutes
 - b. Motion to appoint Jan Grossman to the Zoning Board of Adjustment as an alternate.
 - c. Motion to appoint Mike Underwood to the Cemetery Commission.
 - d. Motion to call for a Public Hearing for March 25, 2025, to consider text amendments related to the signage lighting ordinance
 - e. Motion to call for a Public Hearing for March 25, 2025, to consider text amendments related to solar panels on private property and EV chargers as a use within civic space.
 - f. Motion to increase the pay rate for part-time Summer Camp Assistant from \$12.00 - \$13.00 to \$14.00 - \$15.00 and for part-time for Lead Summer Camp Assistant from \$13.00 - \$15.00 to \$15.00 - \$16.00.
 - g. Motion to approve the Hazelwood Hot Summer Nights Special Event Permit
 - h. Motion to approve the Pride on Main parade Special Event Permit

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

E. PRESENTATIONS

3. Recognition of Chief Chris Mehaffey's promotion
 - Rob Hites, Town Manager

Chief Chris Mehaffey was sworn in as the Town of Waynesville Fire Chief.

4. Recognition of Shaun Messer's promotion
 - Police Chief David Adams

Police Chief David Adams swore in Shaun Messer's as the Administrative Lieutenant.

5. Presentation by Forest Stewards on their activities in the Watershed
 - Dr. Peter Bates

Dr. Peter Bates of Forest Stewards reported that a healthy forest is the best thing for maintaining a healthy municipal watershed. He said that Forest Stewards focuses on monitoring and managing invasive plants at

the watershed. He explained that forests can be managed by simply letting them naturally progress, but thinning of the understory helps promote forest health and diversity.

Jerry Miller reported that the water quality is monitored by eight different stations within the water basin. He said that the water in the water basin is very clear. He said there was a log jam created upstream of the reservoir following Helene and that created water that had high turbidity, but it has since returned to normal. Mr. Miller reported that microplastics are an emerging concern. He reported that they are finding 9.7 particles/liter in the basin. Councilmember Dickson asked if there are any long-lasting effects from the sediment deposits following Helene. Mr. Miller said there will not be any significant effects.

F. PUBLIC HEARING

6. Public Hearing to consider a request for contiguous annexation, 64 Clement Dr, Waynesville, NC, 28786 and PIN# 8616-90-8565.
 - Alex Mumby, Land Use Administrator

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to open the public hearing at 6:57pm. The motion passed unanimously.

Land Use Administrator Alex Mumby reported that the Town received the attached Petition for Annexation of 64 Clement Drive on February 6, 2025. He said the property is within Waynesville's ETJ and is zoned Raccoon Creek Neighborhood Residential Mixed-Use Overlay and the property is not within the 100-year flood plain. Mr. Mumby stated the applicant is requesting annexation to have access to town trash removal services.

There was no public comment.

A motion was made by Councilmember Freeman, seconded by Councilmember Dickson, to close the public hearing at 6:59pm. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to adopt the attached Ordinance to approve the annexation of 64 Clement Dr, Waynesville, NC, 28786 and PIN# 8616-90-8565. The motion passed unanimously.

G. NEW BUSINESS

7. Approval of Personnel Policy
 - Page McCurry, Director of Human Resources

Human Resources Director Page McCurry reported that the Town of Waynesville Personnel Policy has needed a complete revision/update to bring the policies therein up to date, including a more competitive vacation accrual schedule and longevity plan and the addition of several new federal policies. She said that the revised policy aims to be more comprehensive and less ambiguous as well as provide more support to Department Heads through a clearer chain of command and grievance procedure.

Ms. McCurry reported that the Human Resources Department spent several months researching current Personnel Policies for similar jurisdictions, conducting interviews with staff and supervisors, gathering feedback from the UNC SOG Employee Survey, and documenting complaints with the current policy to inform the direction of the proposed draft policy before you. Ms. McCurry said some of the recurring themes she noted when observing the current personnel policy in action were its silence in so many important areas including the topics of Discrimination and Belonging, work/life balance, career development, and new federal employment laws like the Pregnant Workers Fairness Act and the PUMP Act. She said the most consistent feedback she received from staff since her employment was about their dissatisfaction with vacation accrual rates, bereavement leave, and longevity rates. Ms. McCurry stated that she created a clear hierarchy within the new policy that allows issues to be resolved at the division and department level as much as possible, and that the proposed policy will no longer obligate the Town to provide post-retirement health insurance benefits to employees who are hired after April 1, 2025, creating a significant reduction in future costs.

Councilmember Sutton thanked Ms. McCurry and said that they received many letters of support from department heads regarding the new policy.

A motion was made by Councilmember Dickson, seconded by Councilmember Freeman, to approve the proposed revision of the Town of Waynesville Personnel Policy. The motion passed unanimously.

8. Possible adoption of a Resolution in support of HB 24, a bill to strike that section of Session Law 2024-57 which restricts a local government's authority to amend density or allowable uses within their jurisdiction.
 - Elizabeth Teague, Development Services Director and Councilmember Jon Feichter

Development Services Director Elizabeth Teague reported that the NC General Assembly Adopted SESSION LAW 2024-57 SENATE BILL 382, Entitled "AN ACT TO MAKE MODIFICATIONS TO AND PROVIDE ADDITIONAL APPROPRIATIONS FOR DISASTER RECOVERY; TO MAKE TECHNICAL, CLARIFYING, AND OTHER MODIFICATIONS TO THE CURRENT OPERATIONS APPROPRIATIONS ACT OF 2023; AND TO MAKE VARIOUS CHANGES TO THE LAW." Ms. Teague said a subsection of that legislation severely limits local governments' authority as provided under 160D to conduct land use and zoning practice. Specifically, Ms. Teague said the act takes away the authority to initiate a down-zoning process to reduce density in specified areas, or to reduce "the permitted uses of the land that are specified in a zoning ordinance or land development regulation to fewer uses than were allowed under its previous usage." Ms. Teague said she and Councilmembers Sutton and Feichter have been a part of a subcommittee that analyzes the recommendations of the Comprehensive Plan which included an examination of some areas in town that residents felt were zoned with too high density. She said this bill would not allow them to bring those recommendations forward. Ms. Teague said that 29 counties and 12 municipalities have filed for exemption from the provisions of this law.

Ms. Teague presented a Resolution in support of a new Statewide Bill introduced as HB 24, which would strike only this portion of the Act, in order to restore local government land use authority.

Councilmember Sutton said there is a clear divide in the House on this bill. Councilmember Feichter said that the public requested that Council examine allowed density levels in town, which is what the subcommittee has been working on.

A motion was made by Councilmember Dickson, seconded by Councilmember Freeman, to adopt the attached Resolution. The motion passed unanimously.

9. Approval of Engineering Firm to design repairs to Walnut Trail Bridge (Sewer Plant)

- Rob Hites, Town Manager

Town Manager Rob Hites reported that during the initial stages of the sewer plant renovation, staff discovered that the bridge crossing Richland Creek providing access to the plant was unable to carry the weight of the construction equipment. He said the Town negotiated an easement to provide cross country access. Mr. Hites said as we move toward the end of the project, the town will lose day to day access across the easement. He said the renovated plant uses liquid sodium hypochlorite (swimming pool chlorine) which is delivered in 77,000 lb. loads, but the bridge is only rated to carry 40,000 lbs. To design repairs to storm damage and strengthen the bridge to carry loads in excess of 40,000 lbs., Mr. Hites said that staff drafted an RFQ to solicit quotes from structural engineers. He said that after reviewing the proposals from the four firms and interviewing them, staff recommend the Council approve Kisinger Campo Associates (KCA). He added that KCA has considerable experience strengthening both interstate and rural bridges and they are currently working on several bridge repair projects in several NC and SC DOT divisions including Buncombe, Yancey and Madison Counties. Mr. Hites said they have inspected the bridge and already have a plan of action in place.

A motion was made by Councilmember Feichter, seconded by Councilmember Sutton, to approve KCA Engineers as firm to repair and strengthen the Walnut Trail Bridge and authorize the staff to negotiate a contract. The motion passed unanimously.

10. Approve contract for schematic design for McAdams and Associates in connection with Vance Street and Dutch Fisher ballfields.

- Rob Hites, Town Manager

Town Manager Rob Hites reported that during a recent meeting, Council approved the Architectural/Engineering firm of McAdams and Associates to conduct design, and construction administration of the Dutch Fisher and Vance Street ballfields. He said that McAdams recommends that Council adopt a contract for "Schematic Design" to determine the scope of work before negotiating the design contract for construction drawings, bidding and construction administration. He said that McAdams' scope of work includes 30% of the design process which includes the fieldwork necessary to design the fields, buildings and storm water mitigation measures that will protect the fields from extensive damage in future floods. Mr. Hites stated that the plans will provide the Town with three alternatives in field design and alternative sketches of buildings, both prefabricated metal and others. Once approved, Mr. Hites said McAdams will prepare a second contract based on the complexity and cost of the remaining contract. He reminded Council that FEMA requires that each "project" be treated separately so McAdams has presented the Town with a proposal for Vance Street and Dutch Fisher Fields. Mr. Hites said the lump sum Vance Street proposal is \$92,220 and the Dutch Fisher proposal amounts to \$130,200, with the total contract price for both fields being \$222,420.

He said the proposed price for Dutch Fisher renovations is higher due to the amount of stream mitigation they'll have to do and building design.

A motion was made by Councilmember Sutton, seconded by Councilmember Feichter, to approve McAdams proposed Vance Steet Contract for a lump sum price of \$92,220 and Dutch Fisher Ballpark for a lump sum price of \$130,000. The motion passed unanimously.

H. COMMUNICATION FROM STAFF

11. Manager's Report

- Town Manager, Rob Hites

Town Manager Rob Hites reminded Council that the Retreat is next Friday.

12. Town attorney

- Martha Bradley, Town Attorney

Nothing to report.

I. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

Councilmember Sutton reported that he attended the State dinner and that Mark Pless was not in attendance. He said he was able to speak with the other state representatives. Councilmember Sutton addressed the recent article in The Mountaineer regarding the proposed dog park where they stated it would be over a million dollars. He said that while the engineers' estimation was over one million dollars, representing the worst case scenario, he emphasized to the community that he will only support sound financial decisions.

Councilmember Sutton suggested organizing a monthly trip to visit with state representatives.

Councilmember Freeman said that removal of the occupancy tax and de-annexation would be harmful. She said they must be vigilant to make sure that the town's governing is not taken away from local elected officials.

J. ADJOURN

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to adjourn at 7:47pm. The motion passed unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Candace Poolton, Town Clerk