

MINUTES OF THE TOWN OF WAYNESVILLE TOWN COUNCIL
Regular Meeting
August 11, 2026

THE WAYNESVILLE TOWN COUNCIL held a regular meeting on Tuesday, August 11, 2026, 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 6:02 pm with the following members present:

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

The following staff members were present:

Rick Howell, Interim Town Manager
Page McCurry, Assistant Town Manager & HR Director
Jesse Fowler, Deputy Town Manager
Martha Bradley, Town Attorney
Candace Poolton, Town Clerk/Assistant to the Manager
Ian Barrett, Finance Director
Breanna Jaquish, Grants Manager
Laura Yonkers, Deputy Director of Sustainability
Hutch Reece, Deputy Director of Operations
Elizabeth Teague, Development Services Director
Chris Mehaffey, Fire Chief
Cody Parton, Assistant Fire Chief
David Adams, Police Chief

The following members of the media were present:

Paul Nielsen, The Mountaineer
Rian Stockett, News 13

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and announced that the next Council meeting will be August 25th.

B. PUBLIC COMMENT

Jerry Biller- Mr. Biller said he lives up Laurel Ridge on Titleist Drive and is concerned about the roads.

C. ADDITIONS OR DELETIONS TO THE AGENDA

A motion was made by Councilmember Dickson, seconded by Councilmember Feichter, to adopt the agenda as amended (see motion below). 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 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 July 28th, 2026 Regular Meeting Minutes
 - b. Motion to approve the Budget Amendment for the Parks & Recreation Department
 - f. Motion to call for a Public Hearing for a text amendment to revise to the Table of Uses, LDS Section 2.5.3, for August 25, 2026.
 - h. Motion to appoint Kaleb Beaver to the Downtown Waynesville Commission in a “Merchant” seat
 - i. Motion to approve the addition of the Part-Time Engineer position to the Town of Waynesville Pay and Classification Table, as presented
 - j. Motion to approve the WCU Student Filming Special Event Permit
 - k. Motion to appoint Kenneth Dambrosio to the Zoning Board of Adjustment to serve in the in-town alternate seat.
 - l. Motion to approve the Floodproofing 280 Georgia Ave Project Ordinance O-33-26.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to remove item 2.c: “Budget Amendment for the Public Works Department” from the consent agenda, and place items 2. d: “Rescind Town Ordinance Sec.42.-1. – Begging”, 2.e: “Updates to building inspection enforcement ordinances”, and 2.g: “Approval of the CLG Grant Contract with Rowhouse Architects and BLE Engineering” on the regular agenda for discussion, and to add “approval of the Floodproofing 280 Georgia Ave Project Ordinance” to the consent agenda and to remove item 6. “Consideration of Resolution Implementing a Fats, Oils, and Grease (FOG) Management Program Under the Town’s Existing Sewer Use Ordinance”. The motion passed unanimously.

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

E. PUBLIC HEARING

3. Public Hearing to consider the Community Infrastructure Program Grant Application for Walnut Trail Bridge Rehabilitation Project
 - Breanna Jaquish, Grants Manager

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to open the public hearing at 6:14pm. The motion passed unanimously.

Grants Manager Breanna Jaquish reported that the Town is currently preparing a grant application for the Renew NC Department of Commerce Community Infrastructure Program. She said the proposed project, the Walnut Trail Bridge Rehabilitation Project, will address long-standing structural needs and storm-related damage to the bridge, improving its load capacity, resilience, and continued accessibility to the Town's Wastewater Treatment Plant and nearby residences. She said that the grant application requires that the Town hold a public hearing for the proposed project. Ms. Jaquish said they will be accepting public comment through the August 21st. She added that there is no local match requirement or duplication of benefits.

April Huffman- Ms. Huffman said she lives in the first home on the road over the bridge and asked how the project will affect residents.

Ms. Jaquish said the Town plans to rehabilitate the bridge regardless if they receive the grant or not. She said there will be other ways for residents to access their properties while the bridge is being worked on.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to close the public hearing at 6:19pm. The motion passed unanimously.

A motion was made by Councilmember Dickson, seconded by Councilmember Feichter, to approve the application for the community infrastructure program. The motion passed unanimously.

F. NEW BUSINESS

4. Budget Amendment for fiscal year end 2026

- Ian Barrett, Finance Director

Finance Director Ian Barrett presented the budget amendment to year end that will make the Town's accounts whole. He explained that the Town collected more actual than budgeted for all funds, and spent slightly less than budgeted in the Water and Electric Funds. Mr. Barrett said the ad valorem tax collected was over 99%, which is above the 96% state average. He added that the Finance Department has implemented credit card payments, is launching an updated citizen portal in fall, and will be updating their hours of operation to better serve residents.

A motion was made by Councilmember Sutton, seconded by Councilmember Feichter, to approve the budget amendment. The motion passed unanimously.

5. Approval of Design-Build Agreement for Municipal Solar Photovoltaic & Battery Energy Storage System

- Laura Yonkers, Deputy Director of Public Works-Sustainability

Deputy Director Laura Yonkers reported that the Town issued a Request for Proposals (RFP) on April 21, 2026, for the design and construction of a municipal solar photovoltaic (PV) and battery energy storage system. Following the competitive procurement process, Rhino Renewables Solar & Electric, LLC submitted a proposal dated May 14, 2026, to provide design-build services utilizing a Progressive Maximum Guaranteed Price (MGP) delivery model. She said the project will be completed in two phases:

Phase1 – Design Phase:

The contractor will perform all engineering, site investigations, utility interconnection coordination, permitting, and preparation of final construction documents for a lump-sum fee of **\$10,000**. At the completion of Phase 1, the contractor will submit a Maximum Guaranteed Price (MGP) proposal for construction.

Phase 2 – Build Phase:

Upon Council approval of the MGP through a contract amendment, Rhino Renewables will procure equipment, construct, install, test, commission, and complete the project. She explained that the agreement establishes Rhino Renewables as the single point of responsibility for both design and construction services and includes provisions addressing payment schedules, project milestones, performance and payment bonds, warranty requirements, personnel substitutions, commissioning, operator training, and compliance with North Carolina General Statutes governing municipal design-build projects.

Ms. Yonkers explained that Dogwood Health Trust granted \$487,000 for Phase II of the project. She said that Phase I will help determine if that money will be enough to cover the project or if they will need to seek more funds.

Councilmember Dickson said that Environmental Sustainability Board members were involved in the selection of Rhino Renewables and have weighed in on the contract.

Councilmember Sutton remarked on several issues with the contract:

- The contract price reads “\$0”, which needs to be updated.
- Section 2 of the agreement has the contract sum blank, while the schedule of payment shows \$10,000.
- Every milestone target date is “X”, those need to be filled in.
- The contract needs to identify the project site.
- There is a 1% per week late fee, so the payments need to run through pre-audit.
- The contracts says the Town bears the loss of failure of component delivery to the site for all cause except Rhino’s own actions. He asked what insurance covers that gap.
- Change order defaults to cost plus 20%, but the proposal says something different.
- The payment schedule has inconsistencies.
- Commission and closeout are listed as 20% and \$10,000, which is mixing percentage and a fixed rate.
- Update the letterhead.
- The Town Attorney needs to sign off on risk of loss and late fee provision before the contract is signed.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to authorize the Interim Town Manager to execute the Design-Build Agreement with Rhino Renewables Solar & Electric, LLC for Phase 1 design services for the Municipal Solar Photovoltaic and Battery Energy Storage System and authorize the Interim Town Manager to negotiate and return to the Board with a Maximum Guaranteed Price contract amendment for Phase 2 construction following completion of design. The motion passed unanimously.

6. Budget Amendment for Public Works

- Hutch Reece, Deputy Director of Public Works-Operations

Deputy Director Hutch Reece requested on behalf of Public Works to utilize Powell Bill reserve funds to cover the costs of repairs and maintenance completed for East Street, Auburn Drive, and Allens Creek curb and sidewalks, all of which were in critical need of repair, in the amount of \$310,747.00. Councilmember Sutton asked what the remaining Powell Bill fund balance would be after this project. Ian said \$44,000, with the next distribution in October. Councilmember Dickson said the Town should ideally spend it all by the next distribution.

A motion was made by Councilmember Dickson, seconded by Councilmember Feichter, to approve the budget amendment. The motion passed unanimously.

7. Appointment to the Environmental Sustainability Board

- Councilmember Chuck Dickson

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to appoint Magdalena Donny and Ben Manning to the Environmental Sustainability Board. The motion passed unanimously.

8. Repeal of Begging Ordinance

- Chief David Adams

Councilmember Sutton asked if, based on Rule 33 in the Council Rules and Procedures document, a second reading is required for any proposed ordinance change. Ms. Bradley said Council can waive its own policy since it's not an ordinance. Councilmember Sutton asked Police Chief David Adams what else they could do to prevent begging without an ordinance in place. Chief said that an individual can be removed if they are intoxicated, disorderly conduct, blocking a roadway or sidewalk, or impeding flow of traffic. He said that he's seen other municipalities require people that are begging to have proof of a one-million-dollar liability insurance policy. Ms. Bradley said other municipalities have created regulations on where people can beg based on the layout of an intersection.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to rescind Town Ordinance Sec.42.-1. – Begging. The motion passed unanimously.

9. Updates to building inspection enforcement ordinances

- Town Attorney, Martha Bradley

Ms. Bradley said that she was concerned that the Town's current ordinance regarding building code violations did not lay out due process sufficiently if a major developer chose to nitpick the way that the Town regulated their construction. She said she put together a tiered process that outlines failures to comply and consequences to violations.

Councilmember Sutton asked if the penalties are escalated, should it be per property, building, or permit, or builder. Ms. Bradley recommended that it should be by permit because that's what state law focuses on. She will bring back the updated ordinance at the August 25th on the consent agenda.

10. Approval of the CLG Grant Contract with Rowhouse Architects and BLE Engineering

- Alex Mumby, Land Use Administrator

Councilmember Sutton said the motion is to approve two firms, but only one firm is in the packet, and it's for \$10,000 which is the entire budget for the project.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to table item 2.g "Approval of the CLG Grant Contract with Rowhouse Architects and BLE Engineering" until the August 25th meeting. The motion passed unanimously.

G. COMMUNICATION FROM STAFF

9. Manager's Report

- Interim Town Manager, Rick Howell

Interim Town Manager Rick Howell reported that five FEMA projects remain open. He said the water interconnect project's RFQ is being drafted now. Mr. Howell said this project will take multiple years and will roughly cost \$18 million. He reported that the Finance department has submitted the audit, and their appeal was granted, which means no sales tax will be withheld. He said he would like to schedule individual meetings with each Councilmember in the coming weeks.

10. Town Attorney's Report

- Town Attorney, Martha Bradley

Nothing to report.

H. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

Mayor Caldwell requested that Mr. Howell look into the culvert that may be compromised at Vick Dausey's residence at the end of Auburn Park and Springview Drive because it appears to be causing some flooding. Councilmember Dickson reminded Council that if they have a problem, they should go to the manager directly. Councilmember Sutton commented that it was Elizabeth Teague's last Council meeting before retirement. Council agreed that she has done a phenomenal job and will be greatly missed.

I. ADJOURN

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to adjourn at 7:06pm. The motion passed unanimously.

ATTEST:

Gary Caldwell, Mayor

Page McCurry, Interim Town Manager

Candace Poolton, Town Clerk