

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**Regular Meeting**  
**October 27, 2020**

**THE WAYNESVILLE BOARD OF ALDERMEN** held a regular meeting on Tuesday, October 27, 2020 at 6:30 p.m. 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 6:30 pm with the following members present:

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

The following staff members were present:

- Rob Hites, Town Manager
- Jesse Fowler, Assistant Town Manager
- Town Attorney William E Cannon, Jr.
- Elizabeth Teague, Development Services Director
- Police Chief David Adams
- Members of the Police Department
- Byron Hickox, Land Use Administrator
- Chris Mehaffey, Assistant Fire Chief

The following media representatives were present:

- Becky Johnson, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and reminded everyone about the upcoming event “Fall for Waynesville” on Main Street sponsored by the Downtown Waynesville Association, and the “Trunk or Treat” event on October 31<sup>st</sup> sponsored by the First United Methodist Church.

2. Adoption of Minutes

***A motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman, to approve the minutes of the October 13, 2020 regular meeting as corrected, and the minutes from the October 13, 2020 Public Hearing concerning the McGill and Associates application for the Community Development Block-Infrastructure Grant (CDBG – I). The motion carried unanimously.***

Mayor Caldwell moved Item 9 to the beginning of the meeting due to much interest by the public in the item.

3. Ordinance repealing Section 22-31 through 22-35 of Chapter 22 of the Code of Ordinances and language included in Sec. 22.31 through 22.36 are recommended for replacement.
  - Town Attorney William Cannon

Attorney Cannon explained to the audience that this was not a mandate for mask wearing in the Town, but instead it concerned updating the wording in the Emergency Management Section to comply with the State of North Carolina Emergency Management statute.

Attorney Cannon opened the Public Hearing at 6:35 pm and explained the rules to be followed.

**Gennady Kulik  
Natalie Casper  
30 Westgate Parkway  
Asheville, NC 28805**

Ms. Casper explained that she has a suppressed immune system and was told by her doctor not to wear a mask because of oxygen deprivation. She said she had human rights and freedoms and should not have to wear a mask. She stated she loved this country.

**Roberta Edwards, RN  
364 Woodlawn Circle  
Waynesville, NC 28786**

Ms. Edwards stated she was a registered nurse at Mission Hospital. She said she did not support a mask mandate, because it is bad for children and it is against her freedoms. Currently, at Mission Hospital there are only 5 or 6 COVID-19 patients, but there has been an influx of alcohol abuse, drug abuse, and psych cases. She said the numbers did not indicate having to wear a mask. Ms. Edwards asked the Board to listen to the people who are speaking out against the mask mandate.

**Elderberry Neidlinger  
83 Welch Street  
Waynesville, NC 28786**

Ms. Neidlinger said she and her family did not wear masks, and this was the first time she had one on. She said the idea that masks help prevent COVID-19 is an outright lie. She stated several health statistics, and that she has helped many people through COVID-19 by using herbs alone. Ms. Neidlinger told the Board that the holes in masks are too large, and that creates a petri dish for mold and other things.

**Kris Estep**  
**1441 Russ Avenue**  
**Waynesville, NC 28786**

Mr. Estep explained to the Board that he is the pastor of Barberville Baptist Church, and he is concerned about both religious and civic reasons, and how this will affect the congregation in his church. He said in the mask mandate, there are no exemptions for churches like the Governor had for the State of North Carolina. He said it is a Constitutional right to choose to wear a mask or not, and he asked what would happen to a member of his congregation if they choose not to wear a mask. Mr. Estep believes that this is an infringement of his freedom and gave examples of the numbers of COVID-19 deaths and sickness.

**Josh Neidlinger**  
**83 Welch Street**  
**Waynesville, NC 28786**

Mr. Neidlinger said he works at the Waynesville Post Office. At the beginning of the year he was given a government issued mask that was given to every postal employee in the country. He read the insert that was in the mask he was given and stated that the mask will not prevent someone from contracting COVID-19.

**William Hite**  
**768 South Main Street**  
**Waynesville, NC 28786**

Mr. Hite thanked the Board for allowing him to speak. He said he was a registered nurse working at the VA in the COVID-19 unit. During the summer Mr. Hite had been deployed for two weeks to Arizona to an intensive COVID-19 unit for non-stop aide to the critically ill patients. He said that most of the public has been spared by not seeing the ravages of COVID-19 up close, and this community has been lucky. He said he realized that no one likes to wear a mask, and he wanted to show his support for the Emergency Declaration.

**Bill Davis**  
**532 Westwood Circle**  
**Waynesville, NC 28786**

Mr. Davis stated that all masks are ineffective, and they will not stop the COVID-19 virus. He stated statistics has shown that wearing a mask is harmful to people because it can cause mold and pneumonia which can take your life. He said that it is not a law that you must wear a mask and that the problems will be solved by November 4<sup>th</sup>.

**Jill Wasky**  
**1319 Eagles Nest Road**  
**Waynesville, NC 28786**

Ms. Wasky told the Board that she is a second-grade teacher at Shining Rock Classical Academy. She said her students were required to wear a mask from 7:30 am – 3:35 pm while in school. They can remove them for lunch, snack time and recess. Her students ask for mask breaks all day long because of headaches and being uncomfortable. Ms. Wasky stated statistics concerning children contracting the virus. She said that it was tragic that children were experiencing grade school this way and it needed to end.

**Ricki L. Mehaffey  
164 Cherokee Street  
Waynesville, NC 28786**

Ms. Mehaffey told the Board that she had a ministry on Montgomery Street in Waynesville. She said that she believes that the only people who force others to do things are murderers and rapists. The people she works with in her ministry has a great deal of anxiety when they are forced to put on a mask. She is trying to help these people and work with them to be functional again in society.

**Dennis Rogles  
35 R & K Drive  
Waynesville, NC 28786**

Mr. Rogles said that he had not had a mask on since the alleged pandemic has started. He does not know anyone who is sick and does not see anyone being that sick. He questioned the source of the numbers that were being given about the COVID-19, and said they are being inflated.

**Will White  
122 Miller Street  
Waynesville, NC 28786**

Mr. White told the Board that he did not support the actions that were being taken. He is an Army Veteran, and he is upset that he must come home from the war, and the Town is trying to take his rights away. Mr. White said he knew what war is like and warned that the country is headed toward a Civil War.

**Valerie Hubbard  
179 Goldfinch Lane  
Waynesville, NC 28786**

Ms. Hubbard said she believed that governments are set up by God, and we are to respect his authority, unless they take authority that is not theirs. She told the Board that they worked for the citizens. Ms. Hubbard gave statistics about people who have died from the virus and pneumonia. She believes that we are made in the image of God and we should not be dehumanized by wearing masks, because there is no scientific base that proves masks protects us from the disease. They only slow the spread and ruin the economy.

**Andrew Hensley  
50 Salem Loop  
Waynesville, NC 28786**

Mr. Hensley stated that the Bible tells us to “fear not”. He asked the Board if they wear a mask out of fear, or because they are being told to. He said either way it is the wrong reason. Mr. Hensley has seen people with the virus and has seen one man who wore a mask faithfully and died. He said that his tax dollars pay for every politician and everyone in the room tonight. He does not want his tax dollars to pay for masks or the enforcement of the mask mandate.

Attorney Cannon Closed the Public Hearing at 7:11 pm.

Town Manager Rob Hites clarified that the proclamation in the agenda was given as an example of what Mayor Caldwell would declare in case he asks for a Declaration of Emergency. The Ordinance that is before the Board now simply re-writes the State of Emergency Ordinance that has been in the books for decades. The State General Statute has changed, and that required a new Ordinance to be written.

At the request of the audience, Town Attorney Cannon read both the old Ordinance, and the proposed Ordinance.

Town Manager gave examples of how the Declaration State of Emergency could be used.

***A motion was made by Alderman Jon Feichter, seconded by Alderman Julia Freeman, to postpone further discussion of the State of Emergency Declaration due to lack of clarity on the issue. The motion passed unanimously.***

## **B. PUBLIC COMMENT**

Town Attorney Cannon opened the Public Comment period at 7:35 pm and stated that comments would be on other issues that are not on the agenda tonight.

**Jonnie Cure  
1458 South Main Street  
Waynesville, NC 28786**

Ms. Cure said that she owns a building in the Waynesville Plaza. She introduced the tenant in the building, Ms. Karen Williams. On October 25<sup>th</sup> Ms. Cure said she got a call from Ms. Williams stating that there were two drunk men at her door along with a pit bulldog who was not on a leash. The police came but did not pick those people up. The same thing occurred this evening only in front of a different store. Ms. Cure said the homeless problem was not only in Frog Level, but it is all over Town.

**Peggy Hannah  
268 Hemlock Street  
Waynesville, NC 28786**

Ms. Hannah told the Board that she would like for the churches to handle the Homelessness problems, and the Town to step up and handle the drug addiction and mental health problems in the Town. Ms. Hannah stated that the Homelessness Task Force is a farce, and everybody is laughing about it. The vacancies on the committee need to be filled with common people in the community that have a different opinion. No one has faith in the Task Force, and she said that the Task Force needed to be disbanded and save the money that is being spent. Ms. Hannah assured the Board that the Save Haywood Group would continue to come to the Town Board Meetings.

**Jon Lynn McDermott  
183 Mill Street  
Waynesville, NC 28786**

Ms. McDermott is a member of the Town of Waynesville Task Force on Homelessness. She said the Task Force is doing the best they can, and things will be happening. Ms. McDermott stated that the members of the Task Force that have resigned or do not attend meetings need to be replaced. People have contacted Ms. McDermott and said that the Town has spent a lot of money on the homeless, and they feel that churches, soup kitchens, and non-profits. The citizens feel that these entities should form their own Task Force and Board to come up with their own ideas and donations.

**Savannah Williams  
67 Crabtree Church Road  
Waynesville, NC 28786**

Ms. Williams said she thought Waynesville was always a haven to grow up in, but she does not feel like that anymore. She said she would like to be able to build her own career and trust the people that are making decisions. Ms. Williams does not think it is fair for young people to not be able to make decisions. She said growing up was hard, and she wanted the people who was making the decisions for her to have her best interest at heart.

**Jordon White  
122 Miller Street  
Waynesville, NC 28786**

Ms. White said the world is not her happy place anymore. This has been a hard eight months for everyone. She believes the world is under socialism and communism, and that we rely on government for financial needs. We are supposed to live in a free world where she does not have to cover up half her face and cannot breathe. She said she does not have the right to pursue happiness, and she cannot live like this anymore.

**Janet Presson  
49 Lodgepole Pine Lane  
Waynesville, NC 28786**

Ms. Presson has been an RN for about 25 years and a veteran. She said we need small governments with fewer rules and mandates, and she is very concerned about vaccine mandates. Ms. Presson said it was not the Board's job to protect her health, but it is the Board's job to protect her rights, and everybody is watching the government. She wants to take back her rights to be able to decide what happens to her life.

**Melinda Davis  
264 Stamey Cove Road  
Clyde, NC 28721**

Ms. Davis thanked the Board for the opportunity to speak. She is a former registered nurse and she does not need a government telling her how to stay healthy, because she could do that herself. She talked about her children and vaccines. She gave statistics concerning vaccines and their ingredients. She said the Board needed to be concerned about these ingredients, because the cure is worse than the disease.

**Nikki White  
122 Miller Street  
Waynesville, NC 28786**

Ms. White said the lockdown was killing more people than the virus, and it is not lethal. The government is far more dangerous. She said she felt that the Board was moving towards tyranny. She gave statistics concerning deaths from the virus and death from other diseases, and there were no lock downs. Ms. White said the Board works for the people, and she had reached out to them and they did not respond.

**Colt Williams  
637 Crabtree Church Road  
Waynesville, NC 28786**

Mr. Williams said his rights as a kid was to have fun and be happy. Wearing masks and social distancing are taking his rights away. He does not like being in quarantine. It does not make him feel good about himself.

**Did not understand name  
101 East Street (Katlyn's House)  
Waynesville, NC 28786**

Mr. ?? said he had many friends in law enforcement and respected all of them. He worked at the Sherriff's Department and when masks started being required, he resigned. He said he had more trust in God than in a mask.

Town Attorney Cannon closed the Public Comment at 8:03 pm.

**C. PRESENTATION**

4. Pavement Condition Survey Results

- Bob Wilson PE – LaBella

Mr. Bob Wilson of gave a brief presentation of the Pavement Study that was completed in July 2020. The Town maintains 86.6 miles of paved roads, and the roadway assets are \$32.3 million dollars. He said there must be maintenance on these roads just like anything else.

During the Data Collection, Mr. Wilson explained that eight common pavement surface distresses were observed, including alligator cracking, block cracking, reflective cracking, releveling, rutting, patching, bleeding and ride quality. He explained each distress and said the worst problem is the alligator cracking, which is shrinkage of asphalt over time. Treated early, the pavement can be preserved for quite a while.

He said that across the community, they determined how many miles were affected and the percentage affected. Findings indicated the Pavement Condition Report average was 82.7 and the North Carolina Municipality Average is 80.00. Overall, the street system is in good condition, but about 55 percent of street systems need maintenance or resurfacing at a cost of approximately \$2,036,500.00. This amount includes:

|                     |   |
|---------------------|---|
| Routine Maintenance | \$2,036,500.00  |
| Resurfacing         | \$ 434,700.00   |
| Additional Costs    | 25% - 40% (Raising structures, milling, administrative, etc.) |

He presented the Board with graphs showing a proactive vs. reactive pavement maintenance program, along with a table of unit costs for primary maintenance activities. Mr. Wilson told the Board that LaBella recommends that Waynesville dedicate its maintenance funding towards preventative maintenance practices and structural repairs. This practice will reduce the maintenance cost per mile in future years. He also recommended a 15-year paving cycle (5.77 miles per year) with a cost of \$930,000.00 per year at today's prices. He also recommended crack sealing for 1.96 miles – primary activity \$1,388,950.00, and second activity \$315,466.00.

Mr. Wilson emphasized that pavement was one of Waynesville's greatest assets, and the key to preserving this asset is preventative maintenance.

There was much discussion concerning the listing of streets needing maintenance ranging from worst to best and which streets Mr. Wilson recommended being looked at first. They discussed the plan moving forward. Manager Hites said that they would look at the plan and bring it back to the Board.

**D. NEW BUSINESS**



5. Board approval to allow Habitat to construct greenway within Chestnut Park in-lieu of sidewalk installation at Davis Cove.
  - Elizabeth Teague, Development Services Director

Ms. Elizabeth Teague, Development Services Director, said that Habitat for Humanity is asking for alternative compliance or an “in-lieu” option for completion of their Davis Cove Project. Instead of installing sidewalk at this location, Habitat is asking for the ability to take the cost of the Davis Cove sidewalk installation and working with the Town to instead install greenway trail in Chestnut Park – enhancing and extending the subdivision plan for their project on Sylvan Street. Ms. Teague stated that LDS Section 6.8 provides an “Alternative Compliance” option for pedestrian movement where “impractical situation would result from application of requirements...the Administrator may approve an alternate plan that proposes different pedestrian amenities. She said that Development Services Staff supports this idea, but because this alternative compliance would involve Town property, involve more than one development project within different neighborhoods, and would authorize a construction project within Town property, Staff would like the Board’s approval.

***A motion was made by Alderman Chuck Dickson, seconded by Alderman Julia Freeman, to allow Habitat for Humanity to install greenway trail within Chestnut Park in-lieu of sidewalk construction on Davis Cove. The motion carried unanimously.***

Mayor Caldwell called for a 10-minute recess at 8:31 pm.

The Board returned at 8:41 pm.

## **E. PUBLIC HEARINGS**

Attorney Cannon opened the Public Hearing at 8:42 pm.

6. Public Hearing to consider a Text Amendment to Land Development Standards Section 2.5.3 – Table of Permitted Uses and Section 17.3 – Definitions, Use Type.
  - Byron Hickox, Land Use Administrator

Byron Hickox, Land Use Administrator, told the Board that at its August 25, 2020 regularly scheduled meeting, the Board of Aldermen directed Development Services staff and the Planning Board to “refer to the definition of “Recreation Facilities, Outdoor” for review and re-wording because potential problems that could arise from the current definition which they identified as overly broad. This stems from discussions concerning a proposed RV park/campground in Town. He said that campgrounds are currently rolled into the definition of outdoor recreation

The Planning Board considered this issue at its September 21, 2020 meeting and voted to recommend to the Board of Aldermen four proposed amendments to the LDS:

1. Adopt the proposed amended definition of Recreation Facilities, Outdoor.
2. Adopt the proposed new definition of Golf Course/Country Club and permit this use only in Low Density Residential Districts.
3. Adopt the proposed new definition of Campground and do not permit this use in any zoning district.
4. Adopt the proposed new definition of Recreational Vehicle Park and do not permit this use in any zoning district.

Mr. Hickox and Town Attorney Cannon discussed the legality to out-right permit a single use if there is a reason and that the decision is arbitrary. Mr. Hickox clarified that this reason could not simply be because the Town does not like campgrounds. The Board discussed that there are several other locations for campgrounds just outside of the Town's jurisdiction.

**Fred Tollison  
316 Sky Lark Lane  
Waynesville, NC 28786**

Mr. Tollison stated that he lives in Master's Pointe and that the recently proposed campground in the Laurel Ridge community would have been in the middle of the number 5 fairway. He said this would have greatly diminished property values of the homes in his area. He told the Board that he currently sits on the Homeowners Board in his neighborhood. He asked the Board to accept the Planning Board's recommendations.

Attorney Cannon closed the Public Hearing at 9:01 pm.

***A motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman, to find that the proposed text amendment is consistent with the 2035 Comprehensive Plan. The zoning amendments are approved and are consistent with the Town's comprehensive land use plan because:***

***Goal 1: Continue to promote smart growth principles in land use planning and zoning.***

- ***Encourage in-fill and context-sensitive development;***
- ***Promote conservation design to preserve important natural resources;***
- ***Reinforce the unique character of Waynesville .***

***Goal 3: Protect and enhance Waynesville's Natural Resources.***

- ***Encourage park and greenway development to protect watersheds and improve access to open space.***
- ***Protect rural lands, iconic views and mountain vistas.***

***Goal 5: Create opportunities for a sustainable economy.***

- ***Promote Waynesville 's downtown districts, inns, restaurants, and reputation as the "Gateway to the Smokies."***

- **Support the Town's Parks and Greenway Master Plan and develop recreational facilities and a greenway system that appeals to neighborhood and regional users.**

**Goal 6: Create an attractive, safe and multi-modal transportation system/**

- **Support development of the Richland Creek Greenway and Regional greenway connections between Waynesville, Asheville and other Haywood County and Western Carolina destinations.**
- **Ensure citizenry has access to recreational, health and wellness and medical services.**

**The zoning amendment and is reasonable and in the public interest because:**

**The text amendment clarifies language within the Town Land development Standards. The motion carried unanimously.**

**A motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman, to approve the proposed text amendment Ordinance as proposed to the Land Development Standards Section 2.5.3 – Table of Permitted Uses and Section 17.3 – Definitions, Use Type. The motion carried unanimously.**

7. Call for a Public Hearing to consider a Text Amendment to Land Development Standards Section 4.5 – Accessory Uses and Structures.
  - Byron Hickox, Land Use Administrator

Mr. Hickox explained to the Board that the Land Development Standards Section 4.5 defines accessory structures and establishes in Tables 4.5.2 and 4.5.3 applicable standards, such as the maximum number of accessory structures permitted on a lot, maximum square footage, permitted locations, maximum height, and setbacks. These existing tables categorize lots into only three broad categories, which many consider to be too restrictive, especially for smaller properties. Staff has proposed a more graduated, “sliding” scale to amend the existing standards.

Mr. Hickox said that at the September 21, 2020 meeting the Planning Board reviewed the staff proposal and voted to appoint a subcommittee to work with staff to resolve a few points of contention and return with a new proposal. The proposed amendment was considered by the Planning Board at its October 19, 2020 meeting at which the Planning Board voted to recommend to the Board of Aldermen the proposed amendment to this section of the LDS.

**A motion was made by Alderman Jon Feichter, seconded by Alderman Anthony Sutton, to call for a public hearing on Tuesday, November 10, 2020 beginning at 6:30 p.m. or as closely thereafter as possible in the Town Hall Board Room located at 9 South Main Street. The motion carried unanimously.**

Attorney Cannon opened the Public Hearing at 9:01 pm.

8. Public Hearing to consider a Text Amendment to Land Development Standards to Section 13.5 – Nonconforming Uses and Structures.
  - Byron Hickox, Land Use Administrator

Mr. Hickox said that the Land Development Standards addresses nonconformities and categorizes them as one of three types: nonconforming lots, nonconforming uses, or nonconforming structures. These are lots, uses, or structures which existed prior to the adoption of the Land Development Standards and which can continue to exist if they are not expanded and with other specified limitations. In the LDS, Section 13.5, “uses” and “structures” are found in the same subsections and are used interchangeably, leading to confusion. He said the Zoning Board of Adjustment requested a text amendment to clarify this section and avoid future complications for staff interpretation or variance hearings.

The Planning Board considered this issue at its September 21, 2020 meeting and voted to recommend to the Board of Aldermen the proposed text amendments to LDS Section 13.5.

Attorney Cannon closed the Public Hearing at 9:05 pm.

Alderman Freeman asked if there was a time limit where a use was ending and becomes nonconforming before it could be used again. Mr. Hickox said he believed it was one year.

***A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to find that the proposed text amendment is consistent with the 2035 Comprehensive Plan and is reasonable and in the public interest for section 13.5.2 and 13.5.4. The zoning amendment is approved and is consistent with the Town's comprehensive land use plan because:***

***Goal 1: Continue to promote smart growth principles in land use planning and zoning.***

- ***Create walkable and attractive neighborhoods and commercial centers.***
- ***Encourage infill, mixed -use and context-sensitive development.***

***Goal 2: Create a range of housing opportunities and choices.***

- ***Promote a diverse housing stock including market rate workforce housing and affordable options appeal to a variety of households.***

***Goal 5: Create opportunities for a sustainable economy .***

- ***Encourage creativity designed, mixed-use walkable centers and commercial districts that appeal to residents and visitors. The zoning amendment and is reasonable and in the public interest because The text amendment clarifies language within the Town Land development Standards. The motion carried unanimously.***

***A motion to approve the text amendment Ordinance as proposed to the Land Development Standards Sections 13.5.2, 13.5.3, and 13.5.4. was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman. The motion carried unanimously.***

Attorney Cannon opened the Public Hearing at 9:07 pm.

9. Public Hearing to consider a Text Amendment to Land Development Standards Section 4.3.4(F) – Encroachments, Handicapped Ramps.

- Byron Hickox, Land Use Administrator

Mr. Hickox explained that the LDS Section 4.3.4(F) states that handicapped (accessibility) ramps and fire escapes may encroach into any required yard but may not be closer than 3 feet to any property line. For lots on which the principal structure is located close to a public sidewalk and depending on the exact location of the property line, this encroachment standard could prevent an accessibility ramp from connecting to the sidewalk. This could potentially complicate the design and construction and increase the cost of such a ramp.

At its September 21, 2020 meeting the Planning Board voted unanimously to recommend to the Board of Aldermen the proposed amendment to this section of the LDS.

Attorney Cannon Closed the Public Hearing at 9:11 pm.

***A motion was made by Alderman Anthony Sutton, and seconded by Alderman Julia Freeman, to find that the proposed text amendment is consistent with the 2035 Comprehensive Plan and is reasonable and in the public interest. The zoning amendment is approved and is consistent with the Town's comprehensive land use plan because:***

***Goal 1: Continue to promote smart growth principles in land use planning and zoning.***

- ***Create walkable and attractive neighborhoods and commercial centers.***
- ***Encourage in-fill and context-sensitive development.***

***Goal 2: Create a range of housing opportunities and choices.***

- ***Promote a diverse housing stock including market rate, workforce housing and affordable options that appeal to a variety of households.***

***Goal 5: Create opportunities for a sustainable economy.***

- ***Encourage creatively designed, mixed-use, walkable centers and commercial districts that appeal to residents and visitors.***

***Goal 6: Create an attractive, safe and multi-modal transportation system.***

- ***Provide an interconnected transportation network of roadways, greenways, freight mobility, bicycle routes, and sidewalks that improves safety and strategic access for all users.***

***The motion carried unanimously.***

***A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to approve the proposed text amendment as proposed to the Land Development Standards Section 4.3.4(F). The motion carried unanimously.***

Attorney Cannon opened the Public Hearing at 9:13 pm

10. Public Hearing to consider a request for Annexation for three parcels of property along Dellwood Road and Ivy Hill: 1778 Dellwood Road, PIN 8617-10-6618; "Lot 75" of Ivy Hill Subdivision, PIN 8617-10-6745; and "Lot 77", PIN 8617-10-7527.

- Elizabeth Teague, Development Services Director

Ms. Teague said that the Town is in receipt of an annexation request for three lots along Dellwood Road that are not within the Town's Extra-territorial jurisdiction (ETJ). The property meets the criteria for annexation in accordance with the resolution adopted at the last meeting.

The Board of Aldermen must also assign a zoning designation. The property was formerly a restaurant and has been purchased for the purpose of establishing another restaurant. The property owner has requested that the property be zoned as Dellwood/Junaluska Regional Center for the two lots adjacent to Dellwood Road and requested Dellwood Medium Density Residential zoning for the lot that is adjacent to Ivy Hill. The Planning Board considered the properties of the annexation request at their October 19, 2020 meeting and support this request.

**The purpose and intent of the Dellwood Residential Medium Density District per the Land Development Standards §2.3.2.B states:**

The Dellwood Residential Medium Density District (D-RM) shall develop as a low to medium density residential district separating the Russ Avenue and Dellwood/Junaluska Town Center. Promoting a mixture of residential densities, this district shall be developed with such enhancements to residential living as pedestrian access and the provision of open space. Higher density development and limited business and professional services shall be promoted along Russ Avenue with larger lots and cluster development promoted throughout the district. Nonresidential uses typically found in residential areas are permitted, however, development in this district shall be designed to clearly define the residential appearance and scale of the area and to define the differences between this area and the Russ Avenue Town Center and Dellwood/Junaluska Area Center.

**The purpose and intent of the Dellwood Junaluska Regional Center District, LDS 2.3.7.A states:**

The Dellwood/Junaluska Regional Center District (DJ-RC) will develop in the future into a hub for retail, service and employment uses serving Waynesville and the region. It is envisioned that such uses be concentrated here in order to limit sprawling strip commercial development in the area. The vision for the district is that of a well-defined area, but one designed to accommodate large-scale development. Development should encourage the intermixture of uses and provide for residential uses in addition to those uses heavily dependent on the automobile. Transportation improvements made in this district will form a network of roads and pedestrian ways and provide accommodations for all modes of travel. An improved Russ Avenue with a landscaped median should enhance the traffic situation in the area. Rear accessways connecting adjacent development shall be required to provide access between development supplementary to the public streets. The outdoor auditorium at Lake Junaluska will serve as the town center for this area.

Attorney Cannon closed the public hearing at 9:15 pm

***A motion was made by Alderman Chuck Dickson, seconded by Alderman Jon Feichter to Adopt attached Annexation Ordinance for three parcels of property along Dellwood Road and Ivy Hill: 1778 Dellwood Road, PIN 8617-10-6618; "Lot 75" of Ivy Hill Subdivision, PIN 8617-10-6745; and "Lot 77", PIN 8617-10-7527. The motion carried unanimously.***

## F. CALL FOR PUBLIC HEARING

11. Call for a Public Hearing to consider a request for Annexation for three parcels of property along Dellwood Road and Ivy Hill: 1778 Dellwood Road, PIN 8617-10-6618; "Lot 75" of Ivy Hill Subdivision, PIN 8617-10-6745; and "Lot 77", PIN 8617-10-7527.
  - Elizabeth Teague, Development Services Director

The Town adopted the Annexation Ordinance for three lots owned by Roy Rodriguez, President of Big Rods Investments, Inc. a North Carolina Corporation doing business as Dickey's Barbeque. The Town must now assign a zoning designation to each lot since this property is outside of the Town's Extraterritorial Jurisdiction and was formerly part of the unzoned area of Haywood County.

***A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson to call for a Public Hearing on Tuesday, November 10, 2020 beginning at 6:30 p.m. or as closely thereafter as possible in the Town Hall Board Room located at 9 South Main Street. The purpose of the meeting is to consider a Zoning Map Amendment to three properties at and adjacent to 1778 Dellwood Road, PINs 8617-10-6618, 8617-10-6745, and 8617-10-7527, in conjunction with an annexation request. The motion carried unanimously***

11. Resolution for CDBG

Ms. Teague said a resolution is required for the Community Development Block Grant (CDBG) application for utility infrastructure improvements in Hazelwood application.

***A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to approve the Community Development Block Grant (CDBG) by McGill and Associates. The motion carried unanimously.***

## H. COMMUNICATIONS FROM STAFF

12. Manager's Report

Manager Hites had nothing to report

13. Town Attorney Report

Attorney Cannon stated that court had reopened after being closed, but the calendar is massive with cases that have been delayed.

There was discussion concerning clarification of Ms. Amy Murphy-Nugen of the Town of Waynesville Task Force for Homelessness being listed as a member of the Task Force. The consensus of the Board was that she is not a member, and to open the process back up to take applications for the Task Force.

**H. ADJOURN**

***With no further business, a motion was made by Anthony Sutton, seconded by Alderman Chuck Dickson, to adjourn the meeting at 9:24 pm. The motion carried unanimously.***

ATTEST:

\_\_\_\_\_  
Gary Caldwell, Mayor

\_\_\_\_\_  
Jesse Fowler, Assistant Town Manager

\_\_\_\_\_  
Robert W. Hites, Town Manager

\_\_\_\_\_  
Eddie Ward, Town Clerk