

**MINUTES OF THE TOWN OF WAYNESVILL BOARD OF ALDERMAN**  
**Regular meeting**  
**September 8, 2020**

**THE WAYNESVILLE BOARD OF ALDERMAN** held a regular meeting on Tuesday, September 8, 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 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  
Esther Coulter, Administrative Assistant  
Jesse Fowler, Town Planner  
Elizabeth Teague, Development Services Director  
Rhett Langston, Parks and Recreation Director  
William Cannon, Jr., Town Attorney  
Police Chief David Adams

The following media representatives were Present:

Becky Johnson, The Mountaineer

1. Welcome/Calendar Announcements

Mayor Gary Caldwell Called the meeting to order at 6:33. He welcomed everyone and thanked them for coming.

2. Adoption of Minutes

**A motion was made by Alderman Anthony Sutton, Seconded by Alderman Julia Freeman, to approve the minutes of the August 25<sup>th</sup>, 2020 regular meeting as presented. The motion carried unanimously.**

**B. PROCLAMATIONS**

3. National Day of Remembrance and Service

- Mayor Gary Caldwell

Mayor Gary Caldwell read the Town of Waynesville Proclamation to make Friday September 11, 2020 National Day of Service and Remembrance.

#### 4. Constitution Week

- Mayor Gary Caldwell

Mayor Gary Caldwell read the Proclamation for Constitution Week September 17-23, 2020. This week will mark two hundred thirty-third anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention.

### **C. PUBLIC COMMENT**

Town Attorney William E Cannon, Jr. opened the public Comment period.

**Ed King**  
**190 Depot St**  
**Waynesville, NC. 28786**

Mr. King stated that he was going to read a statement from Diana Gordon. He proceeded to read that she not only wanted police cameras but also police present in the apartment complex. Mr. King read that people come in her apartment at night and leave before time to get up. It all started in Leicester, four in a half years ago. He read that she thought if she moved it would stop. The same category of people doing this is the local people's family members between 19-25 that lived here before the Civil War. They are destroying everything she owns.

**Diana Gordon**  
**P.O. Box 474**  
**Clyde, NC. 28721**

Ms. Gordon finished reading where Mr. King left off. The names and address of these people are on file with the Leicester and Waynesville police department along with Haywood Sherriff office. She stated that she was not going to stop protesting in front of this police station until this is rectified with police intervention. By protesting she hopes it will help other people with similar problems.

**Patsy Plemmons**  
**P.O. Box 21**  
**Waynesville, NC. 28786**

Ms. Patsy Plemmons thanked the Board of Aldermen for allowing her to speak. Ms. Plemmons wants to speak about what happen with the comprehensive plan concept with the Waynesville Plaza. The Mountaineer ran an article in the paper that stated Mrs. Teague had talked with all the property owners and Ms. Plemmons stated that she had not talked to anyone about the project to demolish her building. Mrs. Teague told her that they updated the plans, but they are still wrong. Mrs. Teague said the project wouldn't have changed if she had not come forward. Ms. Plemmons told the board that her family has owned the property for 72 years. Ms. Plemmons said she had some questions and she will leave her contact information so someone could answer her questions.

Why were we not contacted? Why have we been left out of the process entirely. Why is their building been removed from the map? She thanked everyone again.

**Phillip Gibbs**  
**59 Babb St.**  
**Waynesville, NC. 28786**

Mr. Phillip Gibbs came to thank the Mayor and Town Manager and the board for the Calvary Park located at 10 Calvary Street. The community is very appreciative with what you have done with Calvary Park. The community would like to ask the board if they can re-name Calvary Park to O.K. Park in honor of former President Obama and Martin Luther King. The name would be O.K. Park short for Obama King Park. These are two men that the community looks up to and would like to honor them in this way.

Town Attorney William E. Cannon, Jr. closed the Public Comment period

#### **D. CALL FOR PUBLIC HEARING**

- Elizabeth Teague, Development Services Director
5. Call for a public Hearing to be held on to consider a request for Annexation for property know as 289 Maple Grove Church Road, PIN 8616-48-1684 and Resolution to direct Town Clerk to investigate the sufficiency of the Petition.

Mrs. Teague asked to call for a Public Hearing to be held to consider a request for Annexation for property known as 289 Maple Grove Church Road, PIN 8616-48-1684 and Resolution to direct Town Clerk to investigate the sufficiency of the Petition.

Mrs. Teague said the property is the future site of Shining Rock Academy which received a Special Use Permit from the Planning Board on June 29, 2020, and only that portion of the property as described in the attached metes and bounds and recorded plat are to be annexed. It is within the Town's Extraterritorial Jurisdiction and lies within the Dellwood-Medium Density Residential District and the Dellwood Medium Density Mixed-Use Overlay. This property is contiguous on two sides to two other properties which are also satellite annexation areas (across Jules Nolan Drive and across Russ Avenue).

**Alderman Julia Freeman made a motion, seconded by Alderman Chuck Dickson to adopt the annexation resolution for the Town Clerk to investigate the sufficiency of the petition and call for a public hearing on Tuesday, September 22, 2020 beginning at 6:30 pm, in order to consider the Petition. The motion carried unanimously.**

6. Call for a public hearing to consider a Community Development Block Grant (CDBG) application for utility infrastructure improvements in Hazelwood.
  - Elizabeth Teague, Development Services Director

Mrs. Teague asked to call for a Public Hearing to consider a Community Development Block Grant (CDBG) application for utility infrastructure improvements in Hazelwood.

Mrs. Teague said as part of their work for the Town, McGill and Associates identified a potential CDBG grant opportunity to improve sewer infrastructure within two census tracts located in Hazelwood. The areas targeted would be the Hyatt and Robinson Street neighborhoods. To apply for this grant by the deadlines, the Town will need to hold a public hearing at the Board of Aldermen Meeting on September 22, 2020. At that time, Karen Kiehna of McGill can present information on the project and answer questions from the Board and public. If the Board agrees McGill, would contact property owners and put together the application which is due November 23, 2020.

**Alderman Anthony Sutton made a motion, seconded by Alderman Jon Feichter to call for a public hearing on a potential CDBG Grant Application for sewer line improvements to be held September 22, 2020. The motion carried unanimously.**

Mayor Gary Caldwell asked with the boards support to request for the Development services Staff to study the Town's schedule of uses to determine if the board may restrict the number of congregate care facilities such as half-way houses and shelters within a geographical area. I also request that they determine if such facilities may be prohibited from residential and institutional Zones.

Mrs. Teague responded yes.

#### **E. Public Hearing**

Town Attorney William E Cannon, Jr. opened the public hearing.

7. Public Hearing on the Greenway bridge and extension project in preparation for submittal to the NC Recreational Trails Program.
  - Developments Services Director, Elizabeth Teague.

Elizabeth Teague, Development Services Director explained that the Town has received donations from Ms. Medford and other citizens and business contributed funding to the Town of Waynesville for the development of the Greenway Bridge and trail over Richland Creek near Recreation Park to the property that the Town purchased in 2017. Mrs. Teague showed on the overhead map the area where the bridge will be and the trail that would be built around the K-9 training area. Mrs. Teague also mention that Echo Environmental is about to start a study for the greenway from the Recreation Park to Lake Junaluska.

Alderman Jon Feichter asked in the long term the greenway to Lake Junaluska how long would it take to finish the Greenway. Mrs. Teague said it depended on funding and explained how grants work to get the money for the Greenway. Mr. Feichter asked if people asked him an estimated time frame would 5 years sound like a good answer. Mrs. Teague said she would hope.

Town Attorney Mr. Cannon asked if there were any questions for Mrs. Teague and there were none. The Town Attorney Mr. Cannon then Closed the public Hearing.

**Alderman Jon Feichter made a motion, seconded by Alderman Chuck Dickson to approve the Resolution in support of the greenway Project and grant application. The motion passed unanimously.**

**Town Attorney William E Cannon, Jr. opened the public hearing**

8. Presentation and Public Hearing on the Town of Waynesville Comprehensive Plan, Waynesville 2035 Planning with purpose.
  - Town Planner, Jesse Fowler

Mrs. Teague mentioned the board heard a presentation from consultant Jake Petrosky of Stewart Inc. on the draft update to the Town's Comprehensive Plan. The Town Planner, Jesse Fowler spoke and explained that there was an amendment of the Waynesville Plaza that was an idea that illustrates what a mixed-use development could look like. In order to demonstrate that in the plan which focuses heavily on mixed-use cluster development areas, they picked 3 heavily traffic places in Waynesville to screen shot and say this is how your business could be representative. Mr. Fowler handed two maps to the board one was the present Waynesville Plaza and second was the concept from the study what it could look like and what the updated concept with putting Ms. Plemmons building back on map the way it presently sits. Mr. Fowler again apologized to Patsy Plemmons for the mistake of leaving her out. Mrs. Teague showed Ms. Plemmons property and the owners that were involved and why they chose this area for the study. Mr. Feichter made the comment that this concept was just an example for the Comprehensive Plan. Mr. Fowler and Mrs. Teague agreed.

Alderman Chuck Dickson wanted to compliment all the staff and Planning board and advisory committees that worked on the plan over the last 2 years. He stated it was an excellent plan that we want Waynesville to look like or be like. He said it's not just zoning, it was a real concept of our town, it talks about living wage, affordable housing. He would recommend it for reading to let people know what the vision would be for the Town of Waynesville.

Mr. Feichter agreed with Mr. Dickson. He had a question about the challenges that could arise with the plan and if staff had thought about how they were going to handle them. Mrs. Teague responded that the 2002 plan taught staff that you're never going to know every eventuality that comes at you. What we do have in 20 years of experience is knowing what's on the ground is working or not working. In the very back of the Comprehensive Plan are the action items that need to be re- looked at. One item is the parking in major shopping center and commercial areas with parking in the rear and side. It doesn't make sense in every case. So, they seen some strange architectural designs with the response with that requirement.

**Town Attorney Mr. Cannon asked if there was anyone wanting to speak for or against the Comprehensive Plan?**

Patsy Plemmons  
P.O. Box 21  
Waynesville, NC. 28786

Patsy Plemmons returned to the podium for comment she stated that when maps are printed in the paper it starts to affect your business and there are 4 businesses in her buildings. She asked for staff to please communicate with them. She stated that she was really hurt.

**Town Attorney Bill E Cannon, Jr. closed the public hearing.**

**Alderman Anthony Sutton made a motion, seconded by Chuck Dickson to adopt the comprehensive Plan, Waynesville 2035: Planning with purpose. The motion passed unanimously.**

## **F. OLD BUSINESS**

9. Draft Traffic Calming Policy
  - Manager Rob Hites

Town Manager Rob Hites said he took the feedback he received from the board and adapted a draft from Chapel Hill's Policy for our needs. Before it is approved, we want to set a Public hearing to receive input from the citizens.

Mr. Hites read the draft policy traffic calming measures are applicable in residential neighborhoods where speeding vehicles and/or cut-through traffic are the primary concerns, and traditional police enforcement is found to be unfeasible and/or ineffective. Streets must typically be residential in nature for consideration under this policy. The policy is intended to promote traffic calming measures that are appropriately implemented, coordinated with the Town's key departments including Police, Fire, and Public Works, and are supported by the community. In addition to citizen requests, traffic calming projects can also be identified by Town staff, Town advisory boards, and/or the Board of Aldermen.

1. Mr. Hites said this would be done by citizens requesting traffic calming improvements will fill out a Request for Traffic Calming Measures form available in the Town Public Works Department and on the Town web site.

2. Mr. Hites said upon receipt of a properly completed Request form, the Town's Technical Review Committee will review the request to make sure that the requested streets for traffic calming measures does not reduce response time for emergency service providers. The Town Engineer will determine an applicable "service area" surrounding the requested traffic calming site(s) and will provide the requesting citizen with a Petition form to be signed by interested property *owners* within the designated service area. The size and extent of the service area will take into consideration the type of traffic calming project being proposed, the layout and type of properties in the vicinity, and the characteristics of the street network surrounding the proposed project site(s). Depending on the circumstances, the service area may include:

All properties abutting the proposed street segment to be modified.

- All properties on adjacent street(s) with ingress/egress only possible via the modified street segment.

- All properties on adjacent street(s) that have alternative points of ingress/egress but will be otherwise affected by the modified street segment.

The Technical Review Committee shall hear appeals regarding service area boundaries established by Town engineer and will provide recommendations regarding alterations of the boundaries for consideration by the Manager.

3. The Public Works Department will prepare a petition form including the following items:

1. A map showing the service area
2. A listing of property owners in the service area
3. A preliminary traffic calming plan showing probable device and their locations

The requesting citizen will obtain signatures on the Petition form. A valid Petition for traffic calming measures must be signed by 70% of the property owners within the service area surrounding the requested traffic calming site(s).

4. The requesting citizen will return the Petition form, with original signatures, to the
5. Director of Public Works located at 1600 Legion Drive Waynesville, N.C. 28786.

Email signed petitions from the property owners are also allowed in lieu of original signatures. The email petition must indicate the full name(s) of property owners. Email signed petitions must be returned to the email address [jstines@wayensvillenc.gov](mailto:jstines@wayensvillenc.gov). The Town staff will confirm that the Petition signatures concur with land ownership records. Once a Petition is determined to be valid, the Public Works Department will notify the requesting citizen of the petition status.

6. Upon receipt of a valid Petition (as described in Step #3 above), the Public Works Department will gather project site data including traffic volumes, speeds, and accident history. A proposed project plan will be developed using the following procedure:
  - Assess problems and needs
  - Identify goals and objectives
  - Identify evaluation criteria
  - Evaluate alternatives
  - Select a proposed plan

The development of a traffic calming plan will include review and evaluation by the Town Technical Review Committee, based on Best Management Practices of the Traffic Engineering profession. (APPENDIX A), and evaluation of the types and design criteria of traffic calming measures applicable to site (APPENDIX B).

The Public Works Department will prepare a cost estimate for the proposed traffic calming project and associated improvements.

7. Traffic calming projects will be prioritized in accordance with the ranking system outlined in APPENDIX C and will be presented to the Board of Aldermen consideration. The Board will review the proposed projects, including the associated traffic data compiled for each

project. Based on its review, the Board will determine the device that is best for the design and traffic volume of the street.

8. The Finance and Public Works Director shall include a cost estimate of each device approved by the Board and shall include those costs as part of the Town's annual street improvement program. Should the Town have unspent funds in the street paving account and have paving work scheduled apart from the annual paving process they may request that the Board approve funding for calming devices that have been approved on a first come first serve basis.

9. Once project funding is approved by the Board of Aldermen, the Public Works Department will prepare construction plans and specifications and an updated cost estimate.

10. When the final design of the traffic calming devices is complete, the Public Works Department will schedule a neighborhood meeting to discuss the plans, estimated costs, and construction procedures/schedule. Each property owner in the service area of the project will be notified when and where the meeting is scheduled.

11. The project will be constructed by Town forces or by private contractor.

12. Town staff will monitor the performance of completed traffic management projects and will report to the Board of Aldermen regarding the operation and effectiveness of the traffic calming measures within 12-18 months following installation. This follow-up report could result in Board of Aldermen action to revise or remove a previously approved traffic management measure.

13. Citizen requests for removal of traffic calming devices will be required to go through the same petition process described previously for installation request.

**Alderman Anthony Sutton made a motion, seconded by Jon Feichter to Receive the Policy for information comment on its contents and set a Public hearing on September 22, to receive public input. The motion passed unanimously.**

## **G. COMMUNICATIONS FROM STAFF**

### **10. Manager's Report**

- Manager Rob Hites

Town Manager Mr. Hites said regarding the sewer report report they have successfully negotiated a special order of consent. We are waiting for them to show in writing what they agreed to and will have that at the October meeting. Also, the engineering report that makes the request for the 19 million with the 30 year annexation we have reduced their comments down to two mild continual that are tables that nobody else would read but engineers and they don't line up like they would like. So, they have moved from policy basis to textual which will put us in the next category to get it approved.

### **Application for Special Events Permit- Apple Festival**

The board called CeCe Hipps to discuss the Application for Special Event. The Events date is October 17, 2020. The Fall Apple Harvest was intended to be canceled. But a board member Mr.



Coleman got pictures of an event in Blowing Rock and shared them with the other board members. The Merchants and Artist in our community reached out to CeCe for assistants with business. So, that is what motivated them to go further with the harvest. They downsized the event by limiting vendors to 96. All vendors will be 12 feet apart in the parking area and the customers will zig-zag in the same direction. They eliminated certain events like clogging, large bands, kids' events, food from outside county, beer gardens. Signs will be up to encourage mask wearing or required wearing.

Alderman Anthony Sutton read a letter of recommendation to proceed with the event and proceed with caution to keep our community and our visitors safe.

Some board members suggested that mask be mandatory and CeCe reassured members that the signs will say required mask. To protect our community.

**Alderman Anthony Sutton made a motion, seconded by Jon Feichter to Approve the Application for the Apple Festival Special Event. The motion passed unanimously.**

11. Town Attorney Report

- Town Attorney Bill Cannon

Mr. Cannon mention that as of September 28 at the hearing. They should be able to proceed with the sale of Hazel Street. They will be able to notify all party's involved.

**H. COMMUNICATIONS FROM THE MAYOR AND BOARD**

Alderman Jon Feichter said that the taskforce on the homelessness has formed 5 work groups to proceed and suggest that one Alderman be in one work group. He stated he would get with each Alderman to determine which work group.

Alderman Chuck Dickson requested the finance department to give a report. Alderman Anthony Sutton said he was at the County Commissioners meeting and they reported county sales tax broke the record for June and almost exceeded what was declined in April.

**I. ADJOURN**

**Alderman Jon Feichter made a motion, seconded by Anthony Sutton to adjourn the meeting. The motion passed unanimously.**

**ATTEST:**

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

\_\_\_\_\_  
Esther Coulter , Administrative Assistant

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