

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
Regular Meeting
August 10, 2021

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday August 10, 2021 at 6:00 pm. 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 6:04 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
- Eddie Ward, Town Clerk
- Ron Sneed, Interim Town Attorney
- Byron Hickox, Land Use Administrator
- Police Chief David Adams
- Autumn Lyvers, Finance Direct
- Jeff Stines, Public Services Director
- Various members of the Police Department

The following media representative was present:

- Tom Lotshaw, The Mountaineer
- Cory Valliancort, Smoky Mountain News

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone to the meeting and reminded them of the upcoming events including the Special Called Board meeting with the DWA and the Hazelwood Baptist Car show on August 28.

Alderwoman Julia Freeman introduced Ms. Martha Bradley as the newly appointed Town Attorney. She stated that Attorney Bradley was a graduate of UNC Chapel Hill and obtained her law degree from Campbell University. Alderwoman Freeman spoke of several recognitions and awards that Ms. Bradley had received during her career and welcomed her as the Town of Waynesville Attorney.

Attorney Bradley told the Board that she was honored to start work for the Town in making the best decisions for the citizens of Waynesville.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton to approve the contract for legal services with Attorney Martha Sharpe Bradley as Town Attorney. The motion passed unanimously.

B. PUBLIC COMMENT

**Trudy Schmidt
202 Harmonica Way
Waynesville, NC 28786**

Ms. Schmidt stated she was new to Haywood County and had questions concerning actions taken at the last Board Meeting. She asked about the Greenway Feasibility Study, Recreation Centers, and the amendment to the Littering Ordinance.

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

Ms. Hannah said she would like for everyone who has questions concerning low-barrier shelters and homeless, to be able to sit down and talk about the issues with the Board. She said that if the Board would answer some of the questions, there would be a difference in the over all attitude of the Town.

**Erich Overhultz
26 Davis Lane
Waynesville, NC 28786**

Mr. Overhultz spoke to the Board concerning draft report of the Town of Waynesville Task Force on Homelessness that was presented at the last Board meeting. He asked why interviews were being conducted with the homeless population as the source instead of factual data from the Waynesville Police Department or Haywood County Sheriff's Department. He asked the Board to look further into the Task Force report.

C. CONSENT AGENDA

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

The August 10, 2021 regular Board of Alderman meeting minutes
FY2021 Carryforwards and Powell Bill Adjustment

A motion was made by Alderman Julia Freeman, seconded by Alderman Anthony Sutton, to approve the consent agenda as presented. The motion carried unanimously.

D. PRESENTATION

2. Recognition of Lt. Brandon Gilmore being promoted to Assistant Chief.

- Chief David Adams

Police Chief David Adams told the Board that he was proud to announce that Brandon Gilmore has been promoted to Assistant Chief of Police. Brandon currently serves as the patrol Lieutenant and has filled that role since 2019. Also, Brandon serves as the SRT Commander and oversees our K-9 program. He has been serving as a Waynesville Police Department officer since 1999.

Chief Adams performed the swearing in ceremony and Beth Gilmore pinned his badge.

Detective Robert R. Skiver Jr.'s retirement and the granting of his duty weapon.

- Chief David Adams

Chief Adams honored Detective Robert Skiver Jr., for his dedicated 20 years of service to the Waynesville Police Department. He requested that the Town of Waynesville release and grant to Det. Skiver his duty weapon, which is a .40 caliber Smith & Wesson M&P Shield Semi-Auto handgun serial # HSP9156.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to release and grant to Det. Skiver his duty weapon, which is a .40 caliber Smith & Wesson M&P Shield Semi-Auto handgun serial # HSP9156. The motion passed unanimously.

Mayor Gary Caldwell thanked Detective Skiver for being a friend during a hard time in his life.

E. PUBLIC HEARING

3. Public Hearing to consider a Zoning Map Amendment to the Land Development Map at 1426 Howell Mill Road and Adjacent property, PINs: 8616-94-1047 and 8616-94-1485.

- Byron Hickox, Land Use Administrator

Mr. Byron Hickox, Land Use Administrator, explained that these two parcels are located on the corner of Asheville Highway and Howell Mill Road and are undeveloped. Currently these lots are zoned Commercial-Industrial which would allow a variety of heavy commercial, manufacturing, and indoor and outdoor storage and warehouse usage. A change in zoning would eliminate those types of allowable uses and allow residential development of density up to 10 units/acre or 16 units with a Special Use Permit. At their July 26, 2021 meeting the Planning Board voted unanimously to approve the requested change in zoning classification to these properties. Mayor Gary Caldwell opened the Public Hearing at 6:31 pm and asked if anyone wished to speak.

Tom Jones

WGLA Engineering

Mr. Jones spoke and said he represented the property owners, Mr. and Ms. Glenn Tolar, who have been the owners since 1996. He said the property is currently located in the Waynesville ETJ. The property has been for sale in its current zoning for approximately four years, but no one has come forward to develop in industrially. He said the basis for rezoning the property will make it more compliant with the newly adopted Land Use Plan. The property is relatively small, and the shape of the property is triangular, and not easily used as industrial. Mr. Jones indicated that the way the property is zoned currently, some uses are not desirable to the surrounding properties. He said the rezoning of the property to Raccoon Creek Residential from Commercial Industrial is the best choice for the property.

**Trudy Schmidt
202 Harmonica Way
Waynesville, NC**

Ms. Schmidt had questions concerning the property being zoned for multifamily apartments, and what percentage of the apartments could be low-income housing. Attorney Ron Sneed explained that there is no requirement in this zoning.

Mayor Gary Caldwell closed the Public Hearing at 6:40 pm.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to find the Zoning Map amendment consistent with the 2035 Plan Comprehensive Land Development Plan Future Land Use Map and Plan Goals 1) promote smart growth; and 2) create a range of housing opportunities and choices; and is reasonable and in the public interest by expanding the allowable uses that could be considered for vacant land and creating opportunity for additional housing development, while eliminating heavy industrial uses that could negatively impact nearby the residences and elementary school. The motion passed unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to adopt Ordinance O-17-21 to amend the Land Development Map at 1426 Howell Mill Road and Adjacent property, PINs 8616-94-1047 and 8616-94-1485, from Commercial Industrial to Raccoon Creek Neighborhood Residential to:

1) Promote smart growth principles in land use planning by encouraging infill development in a vacant property that has access to utility and transportation infrastructure; and

2) Create a range of housing opportunities and choices by encouraging new housing inside of Waynesville's city limits and ETJ by opening new land for residential and mixed-use development. The motion carried unanimously.

F. NEW BUSINESS

4. No Parking Signs

- Jeff Stines, Public Services Director

Mr. Jeff Stines explained to the Board that there had been several issues and complaints by citizens on different streets with large trucks and equipment navigating around parked vehicles, and not being able to access their driveways due to the on-street parking. The Board was referred to the pictures in their Board packets showing the parked cars and the limited space for the trucks. He said this was a big liability of injury to employees and damage to trucks or equipment. Mr. Stines stated that the signs would for no parking on either side of the streets.

Alderman Feichter asked Mr. Stines to consider Hemlock Street for no parking signs as well.

A motion was made by Alderman Jon Feichter, seconded by Alderwoman Julia Freeman, to install “No Parking” signs on the following streets (Prevost Street, Daisy Avenue, Johnson Hill Drive, Morning View Road, Calvary Street, Hemlock Street and Ethel Lane.) The motion carried unanimously.

5. Petitions for Traffic Calming Devices

- Jesse Fowler, Assistant Town Manager

Mr. Jesse Fowler, Assistant Town Manager told the Board that the Town had received three completed petitions for traffic calming devices. The locations of these approved by J. M Teague and are recommended to have traffic calming devices placed on the following streets:

1. Auburn Road – speed humps
 - 12’ length x 3” height
 - JM Teague Estimate: \$10,400
2. Hendrix Street – speed table
 - 22’ length x 3”
 - JM Teague Estimate: \$24,800
3. Ninevah Road – speed humps
 - 12’ length x 3” height
 - JM Teague Estimate: \$15,200

The funding for the devices will come “Infrastructure Paving and Improvements” (Powell Bill.)

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to approve the construction of recommended traffic calming devices at Auburn Road, Hendrix Street, and Ninevah Road. The motion carried unanimously.

G. COMMUNICATION FROM STAFF

6. Manager's Report

- Manager Rob Hites

"Points of Interest" Brochure

Town Manager Rob Hites said that the TDA is opening a fall funding cycle to its schedule. He stated there is a grant opportunity involving the design and printing of a brochure that will outline the location of points of interest in the Waynesville zip code. Manager Hites told the Board that there wasn't a Waynesville brochure showing activities within 20 minutes of the Town. The Town would sponsor a \$7,000.00 TDA grant that would provide 100% funding for the development and printing of such a brochure.

A motion was made by Alderman Jon Feichter, seconded by Alderman Anthony Sutton, to approve the Town applying for a TDA Grant to design and print "Points of Interest" Brochure. The motion carried unanimously.

7. Town Attorney Report

- Interim Town Attorney Ron Sneed

H. COMMUNICATIONS FROM THE MAYOR AND BOARD

I. ADJOURN

With no further business, a motion was made by Alderwoman Julia Freeman, seconded by Alderman Anthony Sutton, to adjourn the meeting at 7:00 pm. The motion was approved unanimously.

ATTEST:

Robert W. Hites, Town Manager

Gary Caldwell, Mayor

Eddie Ward, Town Clerk