



Gary Caldwell, Mayor
Julia Freeman, Mayor Pro Tem
Clarence "Chuck" Dickson, Alderman
Jon Feichter, Alderman
Anthony Sutton, Alderman

Robert W. Hites, Jr. Town Manager
William E. Cannon, Jr., Town Attorney

This meeting of the Town of Waynesville Board of Aldermen will be held via Zoom.

- To call in to the zoom meeting with your phone please dial **1-929-205-6099**.
- The meeting ID is **844 6296 2572**
- Zoom link: <https://us02web.zoom.us/j/84462962572>

Any person interested in submitting a public comment can email their comments in written form to the Town Clerk at eward@waynesvillenc.gov. Those comments will be read into the record by the Town Clerk.

For more information, or if you have any questions please contact Jesse Fowler, Assistant Town Manager at 828-456-2491 or via email at jfowler@waynesvillenc.gov



Town of Waynesville, NC

Board of Aldermen Regular Meeting

Town Hall, 9 South Main Street, Waynesville, NC 28786

Date: January 26, 2021 Time: 6:00 p.m.

The agenda and all related documentation may be accessed electronically at www.waynesvillenc.gov.
Click on "Government/Mayor & Board" to download materials for town board meetings.

Consider the environment ♦ Conserve resources ♦ Print only when necessary

The Town of Waynesville provides accessible facilities, programs and services for all people, in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or accommodation for this meeting, please contact the Town Clerk at: (828) 452-2491 eward@waynesvillenc.gov

A. CALL TO ORDER - Mayor Gary Caldwell

1. Welcome/Calendar/Announcements
2. Adoption of Minutes

Motion: To approve the minutes of the Board of Aldermen regular meeting held on January 12, 2021 as presented (or as corrected).

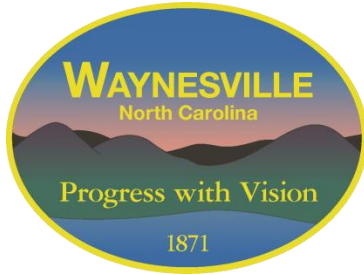
B. PUBLIC COMMENT

3. Any Public Comments will be read by Town Clerk Eddie Ward

C. CLOSED SESSION

Motion: To enter into Closed Session to consult with Attorney to preserve Attorney Client privilege, and to discuss matters relating to the location or expansion of industries or other businesses NC G.S. §143-318.11(a)(3)(4) as well as to discuss matters concerning potential land acquisition under NC G.S. §143-318(a)(3).

D. ADJOURN



TOWN OF WAYNESVILLE

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CALENDAR February 2021

2021	
Tuesday Feb 9	Board of Aldermen Meeting – Regular Session
Tuesday Feb 23	Board of Aldermen Meeting – Regular Session
Thursday Feb 25	Board Retreat – Public Services Training Room
Tuesday March 9	Board of Aldermen Meeting – Regular Session
Tuesday March 23	Board of Aldermen Meeting – Regular Session
Friday April 2 Good Friday	Town Offices Closed
Tuesday April 13	Board of Aldermen Meeting – Regular Session
Tuesday April 27	Board of Aldermen Meeting – Regular Session
Tuesday May 11	Board of Alderman Meeting – Regular Session
Monday May 25	Board of Aldermen Meeting – Regular Session
Monday May 31 Memorial Day	Town Offices Closed
Tuesday June 8	Board of Aldermen Meeting – Regular Session
Tuesday June 22	Board of Aldermen Meeting – Regular Session
Friday July 5 Independence Day	Town Offices Closed
Tuesday July 13	Board of Aldermen Meeting – Regular Session
Tuesday July 27	Board of Aldermen Meeting – Regular Session
Tuesday August 10	Board of Aldermen Meeting – Regular Session
Tuesday August 24	Board of Aldermen Meeting – Regular Session
Monday September 4 Labor Day	Town Offices Closed
Tuesday September 14	Board of Aldermen Meeting – Regular Session
Tuesday September 28	Board of Aldermen Meeting – Regular Session
Tuesday October 12	Board of Aldermen Meeting – Regular Session
Tuesday October 26	Board of Aldermen Meeting – Regular Session
Tuesday November 9	Board of Aldermen Meeting – Regular Session
Thursday November 11 Veterans Day	Town Offices Closed
Tuesday November 23	Board of Alderman Meeting- Regular Session
Tuesday December 14	Board of Aldermen Meeting – Regular Session
December 23, 24 & 27th	Town Closed – Christmas Holidays
Saturday June 5, 2021	Oasis Shriners Spring Celebration Parade

Board and Commission Meetings – February 2021

ABC Board	ABC Office – 52 Dayco Drive	February 16 3 rd Tuesday 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	February 2 2 nd Tuesday 5:30 PM
Downtown Waynesville Association	UCB Board Room – 165 North Main	February 25 4 th Thursday 12 Noon
Firefighters Relief Fund Board	Fire Station 1 – 1022 N. Main Street	Meets as needed; <i>No meeting currently scheduled</i>
Historic Preservation Commission	Town Hall – 9 S. Main Street	February 3 1 st Wednesday 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	February 15 3 rd Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	February 11 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	February 17 3 rd Wednesday 5:30 PM
Waynesville Housing Authority	Waynesville Towers – 65 Church Street	February 9 2 nd Tuesday 3:30 PM

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
Regular Meeting
January 12, 2021

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, January 26, 2021 at 6:00 p.m. via Zoom in the Municipal Building located at 16 South Main Street Waynesville, NC.

A. CALL TO ORDER

Mayor Gary Caldwell called the meeting to order at 6:00 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.
Eddie Ward, Town Clerk
Jeff Stines, Public Services Director
Joey Webb, Fire Chief

The following media representatives were present:

Becky Johnson, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and explained that Town Offices will be closed on Monday January 18th in observance of Martin Luther King Day.

2. Adoption of Minutes

A motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman, to approve the minutes from the January 12, 2020 regular meeting. The motion carried unanimously.

<i>Mayor Gary Caldwell</i>	<i>Aye</i>
<i>Mayor Pro Tem Julia Freeman</i>	<i>Aye</i>
<i>Alderman Jon Feichter</i>	<i>Aye</i>
<i>Alderman Chuck Dickson</i>	<i>Aye</i>
<i>Alderman Anthony Sutton</i>	<i>Aye</i>

B. PUBLIC COMMENT

Mayor Gary Caldwell asked Town Clerk Eddie Ward if there were any comments to be read into the minutes. Ms. Ward stated there were no Public Comments

C. PUBLIC HEARING

3. Public hearing to discuss Habitat for Humanity’s request for a grant through the Town of Waynesville’s affordable housing policy.

- Jesse Fowler, Assistant Town Manager

Jesse Fowler, Assistant Town Manager, explained to the Board that Habitat for Humanity is seeking to take advantage of the Town of Waynesville’s Affordable Housing Policy and is requesting a grant from the Town of Waynesville to offset the development costs associated with the construction and infrastructure development of their Sylvan Street subdivision. This is a 10-unit subdivision that is expected to be completed over several years.

This grant request would be for the approximate amount of \$192,177. Habitat for humanity estimates that each unit will be appraised at approximately \$230,000. This would increase the tax base by approximately \$2,300,000 per year at buildout.

Town Attorney William C. Cannon opened the Public Hearing at 6:08 pm. And asked if anyone wished to Speak.

Jon Lynn McDermott said she felt that the request for the grant was a great idea.

Attorney Cannon closed the Public Hearing at 6:10 pm.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to award a Low-Income Housing Grant to Habitat for Humanity to offset Development costs associated with the construction and infrastructure development of their Sylvan Street location. The motion carried unanimously.

<i>Mayor Gary Caldwell</i>	<i>Aye</i>
<i>Mayor Pro Tem Julia Freeman</i>	<i>Aye</i>
<i>Alderman Jon Feichter</i>	<i>Aye</i>
<i>Alderman Chuck Dickson</i>	<i>Aye</i>
<i>Alderman Anthony Sutton</i>	<i>Aye</i>

A motion was made by Alderman Julia Freeman, seconded by Alderman Chuck Dickson, to approve Ordinance No. O-01-21, Amendment No. 7 to the 2020-2021 Budget Ordinance in the amount of \$45,412.00. The motion carried unanimously.

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

D. NEW BUSINESS

4. Development Services Department request for an additional Code Compliance Officer.
- Jesse Fowler, Assistant Town Manager

Assistant Town Manager Jesse Fowler explained to the Board that the Development Services Department has experienced an increase in workload due to increased construction and development in the past 3 years. He said in this year alone, building inspectors are having to spend more time on large projects such as the Plott Creek Apartments, the Hampton Inn, the Browning Branch subdivision, Haywood Hospital, and the new Shining Rock Academy. The Department has also experienced an increase in complaints under the nuisance, minimum housing and environmental ordinances, and those issues take time away from other department responsibilities. He said there are several other large projects on the horizon (Ingles, Mountain Creek Plaza), and we expect a similar or increased workload for the next several years. He referred the Board to the Building Permit Evaluation and Comparison for 2012 – 2020, and the code Enforcement Officer job description that was included in the agenda.

A motion was made by Alderman Julia Freeman, seconded by Alderman Anthony Sutton, to approve the new position of Code Compliance Officer within the Development Services Department. The motion carried unanimously.

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

5. Award of Contract for Chelsea Rd. Bridge Replacement
- Jeff Stines, Public Services Director

Public Services Director Jeff Stines said that Chelsea Road is a Town maintained road located near Waynesville Country Club and directly behind Doyle Sutton’s Garage. He said that at a previous meeting it was discussed that the bridge on Chelsea Road is a single span, wooden superstructure bridge estimated to have been built in the 1950’s. The bridge girders are composed of 8x10 wood with 4x8 wood decking. Mr. Stines told the Board that all girders and decking are experiencing wood decay / rot with one specific girder being completely collapsed leaving the entire structure compromised and in severe risk of failure. This bridge requires emergency attention and is a public safety issue. Plans have been assembled for the complete replacement of this bridge and issued for bid. Once completed, the new bridge will be constructed out of steel and concrete deck.

Mr. Stines said that two bids were received for the construction of the bridge, and Ashe Construction and Maintenance, Inc. had the lowest bid at \$242,675.00.

A motion was made by Alderman Julia Freeman, seconded by Alderman Jon Feichter, to award the contract to ACMI, Inc. in the amount of \$242,675.00. The motion carried unanimously.

<i>Mayor Gary Caldwell</i>	<i>Aye</i>
<i>Mayor Pro Tem Julia Freeman</i>	<i>Aye</i>
<i>Alderman Jon Feichter</i>	<i>Aye</i>
<i>Alderman Chuck Dickson</i>	<i>Aye</i>
<i>Alderman Anthony Sutton</i>	<i>Aye</i>

A motion was made by Alderman Chuck Dickson, seconded by Alderman Jon Feichter, to approve Ordinance No. O-02-21, Amendment No 8, to the 2020-2021 Budget. The motion carried unanimously.

<i>Mayor Gary Caldwell</i>	<i>Aye</i>
<i>Mayor Pro Tem Julia Freeman</i>	<i>Aye</i>
<i>Alderman Jon Feichter</i>	<i>Aye</i>
<i>Alderman Chuck Dickson</i>	<i>Aye</i>
<i>Alderman Anthony Sutton</i>	<i>Aye</i>

E. COMMUNICATIONS FROM STAFF

6. Manager's Report
- Town Manager Rob Hites

Annual Town Board Retreat

Town Manager Rob Hites said that the Town Board usually conducts a retreat in February to discuss their priorities and those of the staff. It is an informal time for the Board to discuss their priorities for the upcoming year also and provide the staff with their marching orders. He suggested that Finance Director Autumn Lyvers be permitted to provide her financial update during the closest regular board meeting to the retreat. By doing so this will free up time and the first 1 ½ hours of the retreat can be for Board discussion. In the past, Friday has been the most convenient date for most of the Board to meet. The agenda will be set to meet until late afternoon. If there are additional items, they can be scheduled for the next regular Board Meeting. If the Board's agenda exceeds one day, it can be arranged to meet for 1 ½ or 2 days.

Manager Hites told the Board that it is important for Board members to send him their priorities, so the agenda can be developed and have information and cost out programs to aid in discussions. He suggested them to consider either Friday February 18th or Thursday February 25th. The regular meetings in February will be the 9th and the 23rd.

The consensus of the Board was to hold the Board Retreat on Thursday February 25, 2021, with the option of continuing the meeting the next day.

Summary of Wastewater Improvements

Manager Hites gave a brief timeline of the Wastewater Treatment Plant over the next few years as follows:

On December 31st DENR in Raleigh signed the Town's Special Order of Consent (SOC) and placed it in effect.

One January 6th the Local Government Commission approved DENR's recommendation for a State Revolving Loan of \$19,545,000 with a 26-year term.

The SOC provides a project schedule for the remainder of the project. The schedule is as follows:

The Town has amassed \$22,500 in civil fines that have not been paid (We have challenged the imposition of these fines and DENR has held them awaiting the SOC). The Town will pay an upfront penalty of \$4,129 with the remaining amount of \$16,516.48 held in abeyance through the project term. If the Town does not materially breach the SOC the remainder will be forgiven.

Within 60 days following the issuance of the SOC the Town must submit an update on current inflow and infiltration (I&I) reduction efforts.

On or before April 15, 2021 McGill and Associates will submit the construction documents to DENR and request an Authorization to Construct (ATC).

On or before November 1, 2021 shall submit or make available online the flow measurements from the second influent flow meter.

Four months following the issuance of the Authorization to Construct the Town shall advertise the project, receive bids and receive authority from DENR to construct the project.

Three months following receipt of authority to award the construction contract, begin construction.

After receiving approval of the bids from DENR the Town shall close the \$19,454,000 loan with the LGC. This will involve payment of an administrative fee estimated to be approximately \$350,000.

Twenty-four months after beginning construction complete construction.

Three months following completion of construction, achieve compliance with the DPES permit. (Make sure the plant treats waste in accordance with the limits established in their operating permit).

Wastewater Treatment Plant – Project Schedule

The Town will be assessed the following penalties should it violate the following provisions of the SOC.

Failure to meet a Schedule Date listed in the SOC	\$1,000 per day for first seven Days, \$750 per day thereafter.
Failure to submit progress reports	\$1,000 for the first violation; Penalty doubles with each Subsequent assessment for late reports.
Failure to maintain compliance with modified treatment limits	\$1,000 for exceeding monthly average limit; \$500 for exceeding weekly average limits.
Monitoring frequency violations for modified parameters.	\$100 per omitted value per Parameter

Penalties are not due if the Town satisfies DENR that noncompliance was caused solely by:

- Act of God
- Act of War
- An intentional act or omission by a third party
- Extraordinary event beyond the Town’s control.

The State permits the Town to accept 155,000 gpd of waste into its system during the project period. (This does not include the waste that has been permitted before 12/31/2020).

SOC expires July 1, 2024.

Plott Heights Slide

Manager Hites told the Board that there had be further failure on Plott Heights. He said that some of the rock had to be removed because of soil that is saturated underneath. It is anticipated that there will need to be about 100 city truck loads of small boulders used to stabilize the area at a cost of approximately \$100,000.00.

7. Town Attorney Report
 - Town Attorney Bill Cannon

Attorney Cannon stated that the Queen family has signed off on the property next to the Greenway, and he anticipates that the property will be closed in the next thirty days.

F. COMMUNICATIONS FROM THE MAYOR AND BOARD

Alderman Feichter asked Fire Chief Joey Webb about the fire under the Russ Avenue Bridge. Chief Webb stated that it is still under investigation by Police.

G. ADJOURN

With no further business, a motion was made by Alderman Anthony Sutton, seconded by Alderman Julia Freeman, to adjourn the meeting at 6:35 pm. The motion carried unanimously.

<i>Mayor Gary Caldwell</i>	<i>Aye</i>
<i>Mayor Pro Tem Julia Freeman</i>	<i>Aye</i>
<i>Alderman Jon Feichter</i>	<i>Aye</i>
<i>Alderman Chuck Dickson</i>	<i>Aye</i>
<i>Alderman Anthony Sutton</i>	<i>Aye</i>

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Town Manager

Eddie Ward, Town Clerk