



Town of Waynesville, NC

Board of Aldermen Regular Meeting

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

Date: July 27, 2021

Time: 6:00 p.m.

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Consider the environment ♦ Conserve resources ♦ Print only when necessary

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(828) 452-2491 eward@waynesvillenc.gov

A. CALL TO ORDER - Mayor Gary Caldwell

1. Welcome/Calendar/Announcements

B. PUBLIC COMMENT

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.

i. Adoption of minutes of the July 13th regular meeting

Motion: To approve the Consent Agenda as presented or corrected

D. PRESENTATION

2. Withers Ravenel Third Party Billing Review

- Jesse Fowler Assistant Town Manager
- Melissa Cardinali, Withers Ravenel

E. CALL FOR PUBLIC HEARING

3. Call for a Public Hearing for August 10, 2021 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

- Elizabeth Teague, Development Services Director

Motion: To call for a Public Hearing to be held on Tuesday August 10, 2021 at 6:00 pm or as closely thereafter as possible in the Town Hall Board room located at 9 South Main Street, Waynesville 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.

F. PUBLIC HEARING

4. Presentation and Public Hearing to consider the draft Greenway Feasibility Study.
- Elizabeth Teague Development Services Director

Motion: To approve the Waynesville Greenway Feasibility Study to Lake Junaluska.

5. Amendment to Chapter 44, Section 4 and 5 (littering)
- Rob Hites, Town Manager

Motion: To approve Ordinance No. O-13-21 amending Chapter 44 Section 4 and 5 of the Town of Waynesville Code of Ordinances on littering

G. OLD BUSINESS

6. Appointment of new Boards and Commissions members
- Jesse Fowler, Assistant Town Manager

The packets with applications for Boards and Commissions will be sent out on Friday July 23rd in order to allow more time for people to submit applications.

Motion: To approve the ballots and appoint those applicants to each Board and Commission with terms ending June 30, 2024, and Waynesville Housing Authority with terms ending June 30, 2026

H. NEW BUSINESS

7. Award bid for Powell Bill Excavator
- Lisa Burnett, Purchasing Supervisor

Motion: To award the purchase of the excavator to James River Equipment in the amount of \$114,700.00.

8. Approve Design of Cemetery Signs for Green Hill and Dix Hill Cemeteries
- Julie Grasty, Asset Services Manager

Motion: *To approve the design for signage for Green Hill and Dix Hill Cemeteries as presented.*

9. Hazelwood Baptist Church Open Car Show Special Event

- Jesse Fowler, Assistant Town Manager

Motion: *To approve the Hazelwood Baptist Church Open Car Show special event permit.*

Motion: *To provide a \$500 sponsorship of the Hazelwood Baptist Car Show.*

10. Manager's Report

- Manager Rob Hites

11. Town Attorney Report

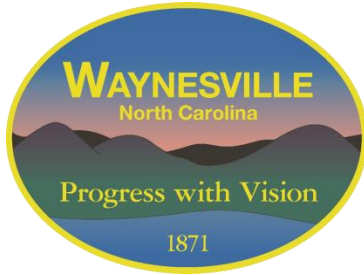
- Interim Town Attorney Ron Sneed

I. COMMUNICATIONS FROM THE MAYOR AND BOARD

12. CLOSED SESSION:

Motion: *To enter into closed session under NC General Statute § 143-318.11(a)(6) to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; hiring for the position of Town Attorney.*

J. ADJOURN



TOWN OF WAYNESVILLE

PO Box 100
16 South Main Street
Waynesville, NC 28786
Phone (828) 452-2491 • Fax (828) 456-2000
www.waynesvillenc.gov

CALENDAR

August 2021

Thursday August 5	Task Force on Homelessness – Community Open House Drop In 5:00 – 8:00 pm Waynesville Recreation Center 550 Vance Street
Saturday August 7	Sarge's Annual Downtown Dog Walk
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
Saturday September 18	Fall Rockin Block Party – Main Street – 7:00 pm
Sunday September 19	Public Art Dog Show – Hart Theater – 5:00 pm
Saturday September 25	Power of Pink – Commerce Street Frog Lever – 9:00 – 11:00 am
Friday September 24	Friday Night Street Dance – Main Street – 6:30
Tuesday September 28	Board of Aldermen Meeting – Regular Session
Saturday October 9	38 th Annual Church Street Art & Crafts – Main Street – 10:00 am
Tuesday October 12	Board of Aldermen Meeting – Regular Session
Tuesday October 26	Board of Aldermen Meeting – Regular Session
Saturday October 30	Treats on the Street – Main Street – 5:00 pm
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
Thursday & Friday November 25 & 26	Town Offices Closed - Thanksgiving
Friday December 3	Waynesville Christmas Tree Lighting – Main Street - 6:00 pm
Monday December 6	Waynesville Christmas Parade – Main Street - 6:00 pm
Saturday December 11	Night Before Christmas – Main Street – 6:00 p,
Tuesday December 14	Board of Aldermen Meeting – Regular Session
December 23, 24 & 27th	Town Closed – Christmas Holidays

Board and Commission Meetings – August 2021

ABC Board	ABC Office – 52 Dayco Drive	August 17 3 rd Tuesday 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	August 3 1 st Tuesday 5:30 PM
Downtown Waynesville Association	UCB Board Room – 165 North Main	August 26 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	August 4 1 st Wednesday 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	August 16 3 rd Monday 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	August 12 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	August 18 3 rd Wednesday 5:30 PM
Waynesville Housing Authority	Waynesville Towers – 65 Church Street	August 10 2 nd Tuesday 3:30 PM

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
Regular Meeting
July 13, 2021

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday July 13, 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 6:02 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
Elizabeth Teague, Development Services Director
Members of Police Department

The following media representative was present:

Cory Valliancort, Smoky Mountain News
Tom Lotshaw, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone to the meeting and reminded them of the upcoming Folkmoot International Day on Saturday, July 24 beginning at 10:00 a.m.

Alderman Jon Feichter, Alderman Anthony Sutton, and Assistant Town Manager will be traveling to Raleigh to meet with N. C. State Representative Mark Pless concerning Homelessness.

The Task Force on Homelessness will be holding a community open house on Thursday August 5, beginning at 5:00 pm at the Waynesville Recreation Center located at 550 Vance Street.

B. PUBLIC COMMENT

**Larry Payne
61 Riverbend Street
Waynesville, NC 28786**

Mr. Payne expressed his concerns about homelessness, taxes, and speeding on Riverbend Street.

C. CONSENT AGENDA

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June 8, 2021 recessed minutes and June 16, 2021 special called meeting minutes

June 22, 2021 regular meeting minutes

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

D. CALL FOR PUBLIC HEARING

2. Call for a Public Hearing to consider the draft Greenway Feasibility Study.
 - Development Services Director, Elizabeth Teague

Ms. Elizabeth Teague, Development Services Director, explained that pursuant to the Town's Comprehensive Land Use Plan goals, the Town has pursued greenway planning by studying the feasibility of multi-use trail alignments and connections to meet multiple types of potential users. She said that in 2017, Equinox Environmental completed the Feasibility study from Recreation and Vance Street Parks south to Hyatt Creek Road. During this past year, Equinox has been studying the feasibility of trails from Recreation and Vance Street Parks north to the trailhead at Dellwood Road and Lake Junaluska. Ms. Teague asked the Board to hold a Public Hearing at the July 27, 2021 meeting to hear Megan Foy of Equinox Environmental present findings and be available to answer any questions.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to call for a Public Hearing to be held on July 27, 2021 at 6:00 pm or as closely thereafter as possible in the Town Hall Board room located at 9 South Main Street, Waynesville to consider the Waynesville Greenway Feasibility Study to Lake Junaluska.

E. PUBLIC HEARING

3. BiLo Apartments

- Town Manager Rob Hites
- Katherine Mosely, Tribridge Residential
- Ashley Anderson, Sanford Holshouser

Town Manager Rob Hites explained to the Board that this Public Hearing is for a Reimbursement Agreement between Tribridge Associates, LLC, and the Town. The agreement outlines the terms and conditions for the Town to repay Tribridge for constructing the public utilities and streets that will connect Marshall Street with Russ Avenue.

Ms. Katherine Mosely of Tribridge Residential presented a power point showing how the apartments will look. There will be 2 four-story buildings with one, two, or three-bedroom units. Some of the amenities include a courtyard with grills and firepits. There will be a leasing office, club room, fitness center, mail room all of which will be assessable to all the residents. Ms. Mosely said that the project will project a sense of community in every area of the buildings. She thanked the Board for the collaboration with Tribridge.

Ms. Ashley Anderson of Sanford Holshouser gave an overview of the project the path that Developer and Town will take. She said the Developer will convey to the Town the property located along the creek, and carry out a project to design, construct, and complete the Mountain Creek Development including public improvements. Twenty of the apartment units will be affordable housing units.

Upon completion of the public improvements, the developer will dedicate the improvements to the Town. The Town will make payments to the developer for some or all its costs designing and constructing the improvements. The payments are subject to adjustment based on the developer's compliance with its affordable housing commitments.

Ms. Anderson reviewed the payment terms as follows:

The Town will pay to the developer a percentage of the Town property tax payments attributable to increase in the property tax value within the Mountain Creek Project area over 10 years. The baseline for calculating the incremental property tax value is \$4,333,700.00

Years 1 – 4 75%
Years 5 – 6 65%
Years 7 – 10 55%

The developer is not eligible to receive any payment for any year in which the incremental assessed value is not at least \$15,000,000.00. The total amount paid to the developer will not exceed the design and construction costs of the public improvements. For any year which the developer requests a reimbursement payment, the amount of the payment will be adjusted based on the developer's compliance with the affordable housing requirements.

This project is an economic development project for the Town. The Town expects that Mountain Creek and the public improvements will enhance the Town's taxable property, employment, and business prospects.

Mayor Gary Caldwell opened the Public Hearing at 6:14 pm and asked if anyone wished to speak.

No one spoke.

Mayor Caldwell closed the Public Hearing at 6:15 pm.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to approve the Mountain Creek Economic Development Agreement with the Town of Waynesville. The motion passed unanimously.

4. Adjustments to the Downtown Municipal Service District
 - Alderman Anthony Sutton

Alderman Anthony Sutton said that the Board had been approached by some members of the public who own businesses within the Downtown Municipal Service district (MSD) and he explained that these business owners believe that they do not benefit from the extra tax levied on their properties within that district. For businesses that are located on Legion Drive, they do not have an entrance from or exit onto Main Street. The street is never closed for festivals or activities for the Town. Alderman Sutton reviewed the MSD map with the Board Members and discussed if any changes should be made, specifically for those businesses.

Mayor Caldwell opened the Public Hearing at 6:18 pm and asked if anyone wished to speak.

**David Young
180 Legion Drive
Waynesville, NC 28786**

Mr. Young stated that his building located at 180 Legion Drive is in the MSD, but does not receive benefits from the MSD. He said he realizes that the Downtown Waynesville Association does a lot of great things for Main Street, but he is asking to be removed from the MSD until the DWA's area broadens and he can receive the same benefits.

Mayor Caldwell closed the Public Hearing at 6:23 pm

A motion was made by Alderman Anthony Sutton, seconded by Alderwoman Julia Freeman to remove the property located at 180 Legion Drive, Waynesville out of the Municipal Service District. The motion passed unanimously.

E. NEW BUSINESS

5. Appointment of new Boards and Commissions members
 - Assistant Town Manager Jesse Fowler

The consensus of the Board was to postpone the appointment of new Boards and Commission members until the July 27, 2021 Board of Aldermen meeting.

6. Manager's Report
 - Manager Rob Hites

Manager Hites said that the advertisement for the Town Attorney has expired, and the Town received four applications. He said that hopefully by the next meeting the Board can discuss the applicants and begin interviews.

7. Town Attorney Report
 - Interim Town Attorney Ron Sneed

Attorney Sneed had nothing to report.

F. COMMUNICATIONS FROM THE MAYOR AND BOARD

8. Downtown Waynesville Association
 - Alderman Anthony Sutton

Alderman Sutton told the Board that he felt like the Downtown Waynesville Association has had plenty of time to get the five years of Financial Statements he asked for several months ago. He stated that if they did not produce the statements and the revised RFP by next meeting, he would like to see it sent back out for applications again.

9. Resolution of Support to reduce the time that Exit 103 will be closed.
 - Alderman Anthony Sutton

Alderman Anthony Sutton told the Board the North Carolina Department of Transportation is in the final stages of designing a new traffic pattern for the intersection of NC 19 and US 74. This plan calls for the closure of Exit 103 for a period of from 1 to 3 years and directs the traffic to Exit 102 (Russ Avenue) and Exit 20 of I-40 (Jonathan Creek). All the traffic heading for Waynesville via Russ Avenue, Lake Junaluska Assembly and the Town of Maggie Valley will be required to exit at Exit 102. He said he had spoken with NCDOT and the time frame had been revised to 6 to nine months. Alderman Sutton feels that this will result in severe traffic backups onto the Smoky Mountain Expressway for an extended length of time. This will create an extremely dangerous traffic condition.

Alderman Sutton asked the Board to adopt Resolution R-06-21 asking NCDOT to develop a plan that will eliminate or reduce the need for road closures during this highway bridge project planned for 2022.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to adopt Resolution R-06-21 for developing a plan that will eliminate or significantly reduce the need for road closures during highway 19-23/74 bridge project planned for April/May 2022. The motion carried unanimously.

Alderman Jon Feichter asked the Board to sponsor the Blue Ridge Heritage Weekend at the Shelton House. He proposed \$500.00 dollars to the Shelton House for this event.

A motion was made by Alderman Jon Feichter, seconded by Alderman Anthony Sutton, to sponsor the Blue Ridge Heritage Weekend at the Shelton House by giving \$500.00. The motion passed unanimously.

Alderman Feichter said that he would like for the Board to investigate the Town's Litter Ordinance because it is based on old traditions. He asked that a Public Hearing be held at the next meeting for public input on the Ordinance.

A motion was made by Alderman Jon Feichter, seconded by Alderman Anthony Sutton, to call for a Public Hearing to be held on July 27, 2021 at 6:00 pm or as closely thereafter as possible in the Town Hall Board room located at 9 South Main Street, Waynesville to consider revisions to the Litter Ordinance. The motion passed unanimously.

G. ADJOURN

With no further business, a motion was made by Alderwoman Julia Freeman, seconded by Alderman Anthony Sutton, to adjourn the meeting at 6:46 pm. The motion was approved unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Town Manager

Eddie Ward, Town Clerk

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: July 27, 2021

SUBJECT: Withers Ravenel Third Party Billing Review

AGENDA INFORMATION:

Agenda Location: Presentations
Item Number: D2
Department: Administration
Contact: Jesse Fowler, Assistant Town Manager
Presenter: Melissa Cardinali, Withers Ravenel
Jesse Fowler, Assistant Town Manager

BRIEF SUMMARY:

At the direction of the Board in April, the Town hired Withers Ravenel to conduct a third-party review of our electric billing as a response to the estimation of electric bills in the month of February. Withers Ravenel has completed their review and will be presenting their findings to the Board of Aldermen.

MOTION FOR CONSIDERATION:

FUNDING SOURCE/IMPACT:

ATTACHMENTS:

- Withers Ravenel's memo to the Board of Aldermen concerning the electric billing review will be given to the Board on the night of the meeting.

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Staff has met with Withers Ravenel to discuss the draft memo which presents their findings to the Board of Aldermen. Withers Ravenel is currently working to produce a final draft of this memo. In the event that the final draft is not completed then staff would recommend that the Board of Aldermen table this topic until the next regular meeting.

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: July 27, 2021

SUBJECT:

Call for a Public Hearing for August 10, 2021 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.

AGENDA INFORMATION:

Agenda Location: Call for Public Hearing
Item Number: E3
Department: Development Services
Contact: Elizabeth Teague and Byron Hickox
Presenter: Elizabeth Teague

BRIEF SUMMARY:

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 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.

MOTIONS FOR CONSIDERATION:

1. Motion to call for a 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 from Commercial Industrial to Raccoon Creek Neighborhood Residential

FUNDING SOURCE/IMPACT:

N/A

ATTACHMENTS:

Application Materials and Map

MANAGER'S COMMENTS AND RECOMMENDATIONS:



TOWN OF WAYNESVILLE
Development Services Department
PO Box 100
9 South Main Street
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

Application for Land Development Standards Map Amendment: Conditional District

Application is hereby made on March 24, 2021 to the Town of Waynesville for the following map amendment to establish or amend a Conditional District:

Property owner of record: Glenn M. Tolar and Wife: Patricia R. Tolar
Address/location of property: Howell Mill Road
Parcel identification number(s): 8616-94-1485, 8616-94-1047
Deed/Plat Book/Page, (attach legal description): DB 659 PG 237, DB 751 PG 1460
The property contains 10.41 acres.
Current district: CI (Commercial Industrial)
Requested district: RC-NR (Raccoon Creek Neighborhood Residential)

The property is best suited for the requested change for the following reason(s), (attach additional sheets if necessary): PC-NR zoning is adjoining to the south and across US 23 to the east.

The property is shown as "Mixed Use Regional" (not industrial) on the 2035 Comprehensive Plan (pg 25).

PC-NR allows numerous commercial uses along with residential including multi-family.

Applicant Contact Information

Applicant Name (Printed): G. Thomas Jones III, PE
Mailing Address: 724 5th Avenue West, Hendersonville NC 28739
Phone(s): (828) 687-7177 x303
Email: tjones@wgla.com

Signature of Property Owner(s) of Record Authorizing Application:

Glenn M. Tolar

Patricia R. Tolar

Note: Map Amendment Requests require a fee based on the size and number of lots being requested. The request will be scheduled for the next agenda opening for the Waynesville Planning Board. Please submit application to: Town of Waynesville Development Services Department, 9 South Main Street, Waynesville, NC 28786.

This institution is an equal opportunity provider

**AUTHORIZATION FOR AGENT TO
APPEAR BEFORE WAYNESVILLE PLANNING BOARD,
ZONING BOARD OF ADJUSTMENT, OR BOARD OF ALDERMEN**

The undersigned Owner or Party with a contract or option to purchase that real property located at Howell Mill Road in Waynesville or the ETJ area of Waynesville, North Carolina, has submitted an application which is to be heard in a quasi-judicial or legislative proceeding by the Planning Board of Waynesville, North Carolina. I hereby authorize the following named individual to present my application and case, as my agent at such hearings.

Name of Authorized Agent: G. Thomas Jones III

Title and Company: Project Engineer, WGLA Engineering, PLLC


Address: 724 5th Avenue West, Hendersonville NC 28739

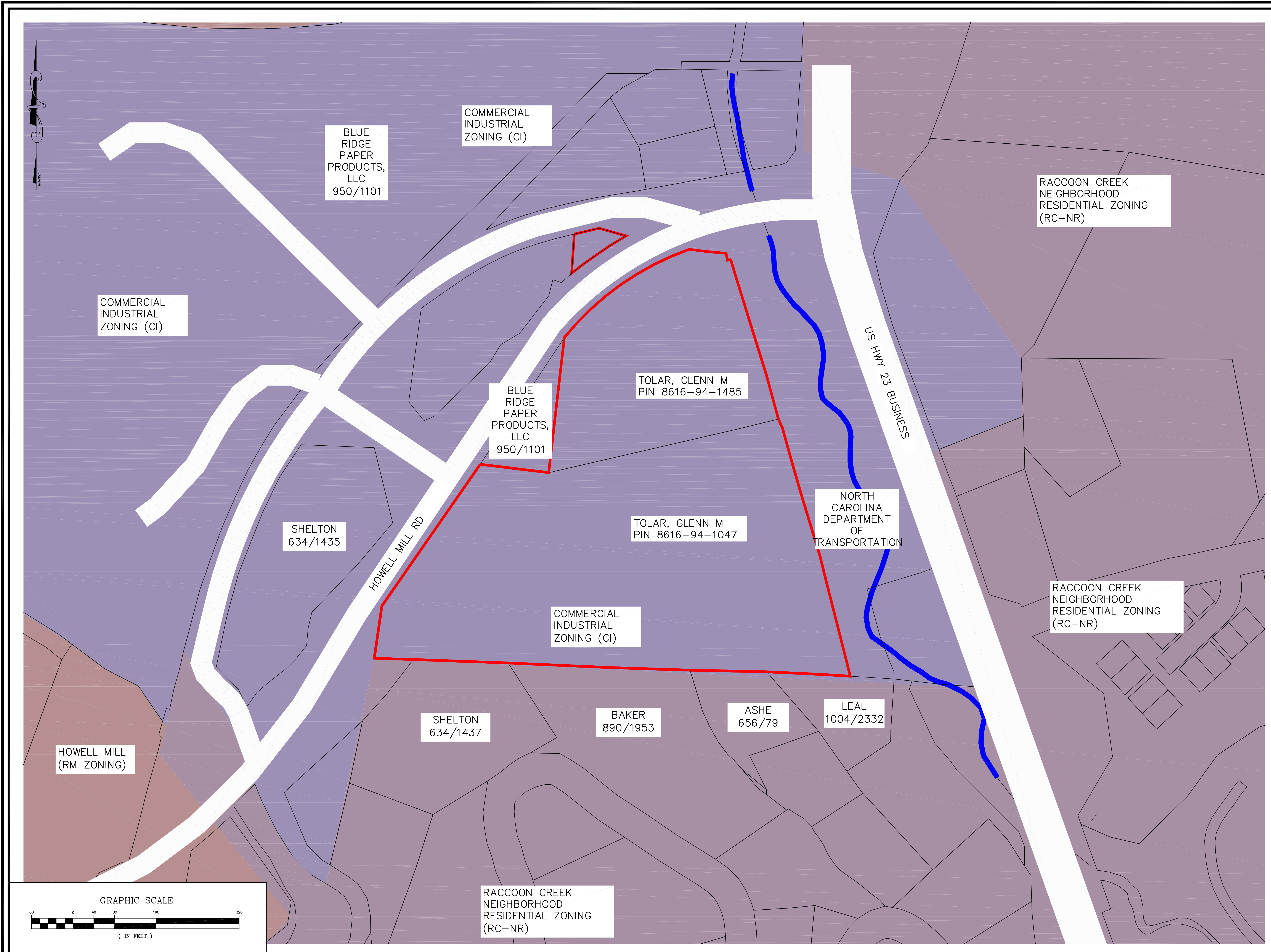
Phone and email: (828) 687-7177 x303 tjones@wgl.com

Parcels: PIN #8616-94-1485, PIN #8616-1047 10.41 Ac +/-

This authorization shall be good through the completion of the project for which the zoning text or map amendment, special use permit, subdivision, variance or appeal, or other Town approval is requested, or until revoked in writing. The Town of Waynesville may rely on this authorization until it is given notice of the revocation of this authorization or of a change of property ownership takes place.

This the 24th day of March, 2021.


Owner or Party with Contractual Interest in Property

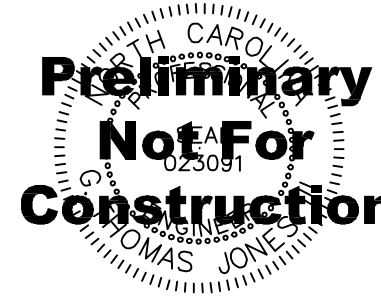


WGLA
Engineering

WGLA ENGINEERING, PLLC
724 5th AVENUE WEST
HENDERSONVILLE, NC 28739
(828) 687-7177
WGLA.COM
NC LICENSE P-1342


Tolar
Property

Town of Waynesville
Haywood County
North Carolina



Preliminary
Not For
Construction

REVISIONS	
DATE	DESCRIPTION



Know what's below.
Call before you dig.

PROJECT NUMBER: 21104
DATE: 3-26-21
DRAWN BY: CTC
CHECKED BY: GTJ

EXISTING
ZONING

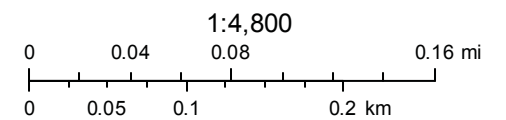
C-000

SCALE: 1"=80'

Tolar Zoning Area



April 8, 2021



TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: July 27, 2021

SUBJECT:

Presentation and Public Hearing to consider the draft Greenway Feasibility Study.

AGENDA INFORMATION:

Agenda Location: Public Hearing
Item Number: F4
Department: Development Services
Contact: Elizabeth Teague
Presenter: Megan Foy, Equinox Environmental

BRIEF SUMMARY:

Pursuant to the Town's Comprehensive Land Use Plan goals, the Development Services Department contracted with Equinox Environmental to study the feasibility of multi-use trail alignments and connections to meet multiple types of potential users. In 2017, Equinox Environmental completed the Feasibility study from Recreation and Vance Street Parks south to Hyatt Creek Road. Equinox has now completed the feasibility study of trail alignments from Recreation and Vance Street Parks north to the trailhead at Dellwood Road and Lake Junaluska. Megan Foy of Equinox Environmental will present at the hearing and be available to answer any questions. The public hearing will provide the Board an opportunity to hear from the public regarding the feasibility proposal and to consider adoption the study as a plan for greenway development and the pursuit of future grants and capital improvements.

MOTIONS FOR CONSIDERATION:

1. Motion to approve the Waynesville Greenway Feasibility Study to Lake Junaluska.

FUNDING SOURCE/IMPACT:

Build out of the Greenway Plan will come with future construction costs. A portion of this plan is part of the PARTF application about which we are still waiting to hear.

ATTACHMENTS:

Draft Study Document available through the Development Services Office and in hard copy.

MANAGER'S COMMENTS AND RECOMMENDATIONS:

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: 7/27/21**

SUBJECT Amendment to Chapter 44, Section 4 and 5 (littering)

AGENDA INFORMATION:

Agenda Location: **Public Hearing**
Item Number: **F5**
Department: Administration
Contact: Rob Hites
Presenter: **Rob Hites**

BRIEF SUMMARY:

Alderman Feichter asked that the staff amend the Town's current littering ordinance in order to increase its penalties and include language from GS 14-399 that encourages judges to order litter cleanup in lieu of fines or imprisonment. The amendment that I have drafted follows the State Statute (GS 14-399) very closely. I have attempted to make our local ordinance simpler than the State Statute.

MOTION FOR CONSIDERATION:

Approve amendment to Town's littering ordinance.

FUNDING SOURCE/IMPACT: General

ATTACHMENTS: GS 14-399.

MANAGER'S COMMENTS AND RECOMMENDATIONS

Judging from the location of litter around our shopping centers and box store I believe that the parking lot cleaning crews are blowing litter from the lot onto adjoining property. This amendment may help with this practice since we ought to be able to catch them.

§ 14-399. Littering.

(a) No person, including any firm, organization, private corporation, or governing body, agents or employees of any municipal corporation shall intentionally or recklessly throw, scatter, spill or place or intentionally or recklessly cause to be blown, scattered, spilled, thrown or placed or otherwise dispose of any litter upon any public property or private property not owned by the person within this State or in the waters of this State including any public highway, public park, lake, river, ocean, beach, campground, forestland, recreational area, trailer park, highway, road, street or alley except:

- (1) When the property is designated by the State or political subdivision thereof for the disposal of garbage and refuse, and the person is authorized to use the property for this purpose; or
- (2) Into a litter receptacle in a manner that the litter will be prevented from being carried away or deposited by the elements upon any part of the private or public property or waters.

(a1) No person, including any firm, organization, private corporation, or governing body, agents, or employees of any municipal corporation shall scatter, spill, or place or cause to be blown, scattered, spilled, or placed or otherwise dispose of any litter upon any public property or private property not owned by the person within this State or in the waters of this State including any public highway, public park, lake, river, ocean, beach, campground, forestland, recreational area, trailer park, highway, road, street, or alley except:

- (1) When the property is designated by the State or political subdivision thereof for the disposal of garbage and refuse, and the person is authorized to use the property for this purpose; or
- (2) Into a litter receptacle in a manner that the litter will be prevented from being carried away or deposited by the elements upon any part of the private or public property or waters.

(a2) Subsection (a1) of this section does not apply to the accidental blowing, scattering, or spilling of an insignificant amount of municipal solid waste, as defined in G.S. 130A-290(18a), during the automated loading of a vehicle designed and constructed to transport municipal solid waste if the vehicle is operated in a reasonable manner and according to manufacturer specifications.

(b) When litter is blown, scattered, spilled, thrown or placed from a vehicle or watercraft, the operator thereof shall be presumed to have committed the offense. This presumption, however, does not apply to a vehicle transporting nontoxic and biodegradable agricultural or garden products or supplies, including mulch, tree bark, wood chips, and raw logs.

(c) Any person who violates subsection (a) of this section in an amount not exceeding 15 pounds and not for commercial purposes is guilty of a Class 3 misdemeanor punishable by a fine of not less than two hundred fifty dollars (\$250.00) nor more than one thousand dollars (\$1,000) for the first offense. In addition, the court may require the violator to perform community service of not less than eight hours nor more than 24 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed. Any second or subsequent violation of subsection (a) of this section in an amount not exceeding 15 pounds and not for commercial purposes within three years after the date of a prior violation is a Class 3 misdemeanor punishable by a fine of not less than five hundred dollars (\$500.00) nor more than two thousand dollars (\$2,000). In addition, the court may require the violator to perform community service of not less than 16 hours nor more than 50 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed.

(c1) Any person who violates subsection (a1) of this section in an amount not exceeding 15 pounds is guilty of an infraction punishable by a fine of not more than one hundred dollars

(\$100.00). In addition, the court may require the violator to perform community service of not less than four hours nor more than 12 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed. Any second or subsequent violation of subsection (a1) of this section in an amount not exceeding 15 pounds within three years after the date of a prior violation is an infraction punishable by a fine of not more than two hundred dollars (\$200.00). In addition, the court may require the violator to perform community service of not less than eight hours nor more than 24 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed. For purposes of this subsection, the term "litter" shall not include nontoxic and biodegradable agricultural or garden products or supplies, including mulch, tree bark, and wood chips.

(d) Any person who violates subsection (a) of this section in an amount exceeding 15 pounds but not exceeding 500 pounds and not for commercial purposes is guilty of a Class 3 misdemeanor punishable by a fine of not less than five hundred dollars (\$500.00) nor more than two thousand dollars (\$2,000). In addition, the court shall require the violator to perform community service of not less than 24 hours nor more than 100 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other community service commensurate with the offense committed.

(d1) Any person who violates subsection (a1) of this section in an amount exceeding 15 pounds but not exceeding 500 pounds is guilty of an infraction punishable by a fine of not more than two hundred dollars (\$200.00). In addition, the court may require the violator to perform community service of not less than eight hours nor more than 24 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed.

(e) Any person who violates subsection (a) of this section in an amount exceeding 500 pounds or in any quantity for commercial purposes, or who discards litter that is a hazardous waste as defined in G.S. 130A-290 is guilty of a Class I felony.

(e1) Any person who violates subsection (a1) of this section in an amount exceeding 500 pounds is guilty of an infraction punishable by a fine of not more than three hundred dollars (\$300.00). In addition, the court may require the violator to perform community service of not less than 16 hours nor more than 50 hours. The community service required shall be to pick up litter if feasible, and if not feasible, to perform other labor commensurate with the offense committed.

(e2) If any person violates subsection (a) or (a1) of this section in an amount exceeding 15 pounds or in any quantity for commercial purposes, or discards litter that is a hazardous waste as defined in G.S. 130A-290, the court shall order the violator to:

- (1) Remove, or render harmless, the litter that he discarded in violation of this section;
- (2) Repair or restore property damaged by, or pay damages for any damage arising out of, his discarding litter in violation of this section; or
- (3) Perform community public service relating to the removal of litter discarded in violation of this section or to the restoration of an area polluted by litter discarded in violation of this section.

(f) A court may enjoin a violation of this section.

(f1) If a violation of subsection (a) of this section involves the operation of a motor vehicle, upon a finding of guilt, the court shall forward a record of the finding to the Department of Transportation, Division of Motor Vehicles, which shall record a penalty of one point on the violator's drivers license pursuant to the point system established by G.S. 20-16. There shall be no insurance premium surcharge or assessment of points under the classification plan adopted under G.S. 58-36-65 for a finding of guilt under this section.

(g) A motor vehicle, vessel, aircraft, container, crane, winch, or machine involved in the disposal of more than 500 pounds of litter in violation of subsection (a) of this section is declared contraband and is subject to seizure and summary forfeiture to the State.

(h) If a person sustains damages arising out of a violation of subsection (a) of this section that is punishable as a felony, a court, in a civil action for the damages, shall order the person to pay the injured party threefold the actual damages or two hundred dollars (\$200.00), whichever amount is greater. In addition, the court shall order the person to pay the injured party's court costs and attorney's fees.

(i) For the purpose of the section, unless the context requires otherwise:

(1) "Aircraft" means a motor vehicle or other vehicle that is used or designed to fly, but does not include a parachute or any other device used primarily as safety equipment.

(2) Repealed by Session Laws 1999-454, s. 1.

(2a) "Commercial purposes" means litter discarded by a business, corporation, association, partnership, sole proprietorship, or any other entity conducting business for economic gain, or by an employee or agent of the entity.

(3) "Law enforcement officer" means any law enforcement officer sworn and certified pursuant to Article 1 of Chapter 17C or 17E of the General Statutes, except company police officers as defined in G.S. 74E-6(b)(3). In addition, and solely for the purposes of this section, "law enforcement officer" means any employee of a county or municipality designated by the county or municipality as a litter enforcement officer.

(4) "Litter" means any garbage, rubbish, trash, refuse, can, bottle, box, container, wrapper, paper, paper product, tire, appliance, mechanical equipment or part, building or construction material, tool, machinery, wood, motor vehicle or motor vehicle part, vessel, aircraft, farm machinery or equipment, sludge from a waste treatment facility, water supply treatment plant, or air pollution control facility, dead animal, or discarded material in any form resulting from domestic, industrial, commercial, mining, agricultural, or governmental operations. While being used for or distributed in accordance with their intended uses, "litter" does not include political pamphlets, handbills, religious tracts, newspapers, and other similar printed materials the unsolicited distribution of which is protected by the Constitution of the United States or the Constitution of North Carolina.

(5) "Vehicle" has the same meaning as in G.S. 20-4.01(49).

(6) "Watercraft" means any boat or vessel used for transportation across the water.

(j) It shall be the duty of all law enforcement officers to enforce the provisions of this section.

(k) This section does not limit the authority of any State or local agency to enforce other laws, rules or ordinances relating to litter or solid waste management. (1935, c. 457; 1937, c. 446; 1943, c. 543; 1951, c. 975, s. 1; 1953, cc. 387, 1011; 1955, c. 437; 1957, cc. 73, 175; 1959, c. 1173; 1971, c. 165; 1973, c. 877; 1977, c. 887, s. 1; 1979, c. 1065, s. 1; 1983, c. 890; 1987, cc. 208, 757; 1989, c. 784, ss. 7.1, 8; 1991, c. 609, s. 1; c. 720, s. 49; c. 725, s. 1; 1993, c. 539, ss. 266, 267, 1241; 1994, Ex. Sess., c. 24, s. 14(c); 1997-518, s. 1; 1998-217, s. 2; 1999-294, s. 4; 1999-454, s. 1; 2001-512, s. 1; 2018-5, s. 17.1(a).)

ORDINANCE No. O-13-21

AN ORDINANCE AMENDING CHAPTER 44 SECTION 4 AND 5 OF THE TOWN OF WAYNESVILLE CODE OF ORDINANCES.

WHEREAS, the Town of Waynesville Board of Aldermen adopted chapter 44 section 4 and 5 pursuant to Chapter 14-399 and 14-399.1 of the North Carolina General Statutes on December 9th, 2003 and September 26, 2010 respectively; and

WHEREAS, the Board of Aldermen have reviewed the ordinance and determined that it needs to be clarified and strengthened: and

WHEREAS, after receiving citizen input through public hearing.

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF WAYNESVILLE THAT THE CHAPTER 44 SECTION 4 and 5 BE AMENDED.

Sec. 44-4. - Dumping or littering on public or private property.

(a) As provided in G.S. 14-399 and 14-399.1, ~~no person may place, discard, throw, drop, dump, or deposit, or cause to be placed, discarded, thrown, dropped, dumped or deposited any litter, trash or refuse. No person, including any firm, organization, private corporation or governing body, agents or employees of any municipal corporation shall intentionally, unintentionally or recklessly throw, scatter, spill or place intentionally or recklessly cause to be blown, scattered, spilled, thrown or placed or otherwise disposed of any litter upon any public property or private property not owned by the person within the Town or in the water of this Town including any public highway, public park, river, campground, forestland, recreational area, trailer park, highway, road, street, or alley except in properly designated receptacles.~~

- (1) ~~On any public street or sidewalk within the town or on any property owned or operated by the town or on any other public property, except in properly designated receptacles.~~
- (2) ~~On any private property, either owned by the person or owned by another person, regardless of whether or not permission is granted; or~~
- (3) ~~In any stream or body of water.~~

(Ord. No. 31-03, § 96.12, 12-9-2003)

(b) *Subsection 44-4 does not apply to the accidental blowing, scattering, or spilling of an insignificant amount of municipal solid waste as defined in GS 130A-290 (18A) during the automatic loading of a vehicle designed and constructed to transport municipal solid waste if the vehicle is operated in reasonable manner and according to manufacturer specifications.*

(c) *When litter is blown, scattered, spilled thrown or placed from a vehicle the operator thereof shall be presumed to have committed the offense.*

Sec 44-5 Penalties and remedies

(a) A violation of any of the provisions of this chapter shall constitute a misdemeanor, punishable as provided in G.S. 14-399.

(b) Any person who intentionally violates section subsection (a) of this section is guilty of a Class 3 misdemeanor punishable by a fine of \$250 or court ordered community service of eight (8) hours picking up litter, if feasible.

(c) Any person who unintentionally violates subsection (a) of this section is guilty of an infraction punishable by a fine of \$100 or court ordered community service not to exceed four (4) hours picking up litter, if feasible.

(d) Any second or subsequent violation of subsection (a) within three years after the date of prior violation is a Class 3 misdemeanor punishable by a fine of \$500 or a court ordered period of community service of sixteen (16) hours picking up litter, if feasible.

~~Sec. 44-5. Penalties and remedies.~~

~~(a) A violation of any of the provisions of this chapter shall constitute a misdemeanor, punishable as provided in G.S. 14-4.~~

~~(b) A violation of any of the provisions of this chapter shall also subject the offender to civil penalties in the follow amounts:~~

~~(1) Beginning 31 days after the notice of violation, \$10.00 per day.~~

~~(2) Beginning 60 days after the notice of violation, \$25.00 per day.~~

~~(3) Beginning 90 days after the notice of violation, \$50.00 per day, and every day thereafter.~~

~~Civil penalties shall be assessed by the code's administrator and such other inspectors or deputy or assistant inspectors as authorized by the board aldermen.~~

~~(c) The town may seek to enforce this chapter through any appropriate equitable action.~~

~~(d) Each day that a violation continues after the offender has been notified of the violation shall constitute a separate offense.~~

~~(e) The town may seek to enforce this chapter by using any one or any combination of the remedies in subsections (a) through (d) of this section.~~

~~(Ord. No. 31-03, § 96.02, 12-9-2003; Ord. No. 14-10, 10-26-2010)~~

Adopted this 10th day of August 2021.

Town of Waynesville

Mayor Gary Caldwell

ATTEST:

Eddie Ward, Town Clerk

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: July 27, 2021

SUBJECT: Award bid for Powell Bill Excavator

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: H7
Department: Street and Sanitation
Contact: Chris Snyder
Presenter: Lisa Burnett

BRIEF SUMMARY:

Included in 2021-2022 annual budget are funds to purchase a new excavator. We would like to purchase a John Deere 85G excavator through James River Equipment. Contract pricing is through Sourcewell, a purchasing cooperative.

MOTION FOR CONSIDERATION:

To award the purchase of the excavator to James River Equipment in the amount of \$114,700.00.

FUNDING SOURCE/IMPACT: Powell Bill equipment 104560-545500



Autumn Lyvers, Finance Director

7/19/2021

Date

ATTACHMENTS:

- Quote from James River Equipment
- Sourcewell contract
- N. C. statute 143-129

MANAGER'S COMMENTS AND RECOMMENDATIONS:



James River Equipment Company



Sales, Service, Parts and Rental of Construction and Forestry
Equipment

Town of Waynesville
Attn: Chris Snyder

June 28, 2021

Please consider the following proposal based on your specifications:

One (1) New John Deere 85G Excavator equipped with the following specs:
Cab with heat & air, 6'11" long arm, 18" rubber bonded pads, blade, 36" heavy duty
bucket, hydraulic thumb, jrb hydraulic quick coupler, and all other standard options.

Standard Warranty: 12 months unlimited hours
Extended Warranty: 60 months or 3000 hours

Selling Price.....\$114,700.00

Quote based on Sourcewell Contract #032119-JDC

Quote does not include applicable sales tax

I hope the above meets your requirements. Should you have any questions,
or if I may be of any further assistance, please do not hesitate to call me anytime
at (828) 230-5961.

With Regards,
James River Equipment

Mark Raymer
Territory Manager

Quote Accepted by: _____ **Date:** _____

North Carolina Legal References

State Agencies:

N.C. Gen. Stat. § 143-49 (2017). Powers and duties of Secretary

(17) To establish procedures to permit State government, or any of its departments, institutions, or agencies, to join with any federal, State, or local government agency, entity, or subdivision, or any nonprofit organization in cooperative purchasing plans, projects, arrangements, or agreements if the interest of the State would be served thereby.

Local Governments:

N.C. Gen. Stat. § 143-129 (2017). Procedure for letting of public contracts

(e) Exceptions. -- The requirements of this Article do not apply to:

(3) Purchases made through a competitive bidding group purchasing program, which is a formally organized program that offers competitively obtained purchasing services at discount prices to two or more public agencies.

About Sourcewell:

Sourcewell is a service cooperative created by the Minnesota legislature as a local unit of government. Minn. Const. art. XII, sec. 3. As a public corporation and agency, Sourcewell is governed by local elected municipal officials and school board members. Minn. Stat. § 123A.21 Subd. 4 (2017). Under its enabling statute, Sourcewell is explicitly authorized to provide cooperative purchasing services to eligible members. Id. at Subd. 7(23).

Sourcewell follows the competitive contracting law process to solicit, evaluate and award cooperative purchasing contracts for goods and services. Sourcewell cooperative purchasing contracts are made available through the joint exercise of powers law to member agencies. Minn. Stat. § 471.59 (2017). Membership in Sourcewell is available for all eligible state and local governments, education, higher education and nonprofit entities across North America. § 123A.21 at Subd. 3

Disclaimer:

The information found on the Sourcewell website are provided for educational and informational purposes only. This information contained on the website, including any printed material derived from this website, is not legal advice and no attorney-client or other contractual relationship is formed by access to this information. Information here may be out of date, obsolete, or otherwise inaccurate. Please consult with a qualified attorney regarding any questions.

Information current as of: 2020-11-12



John Deere

Heavy Construction Equipment

#032119-JDC

Maturity Date: 05/13/2023

Contract Documents 

Contract Documents

Heavy Construction Equipment with Related Accessories, Attachments, and Supplies

Contract #032119-JDC

Effective 05/13/2019 - 05/13/2023

Contract Documentation





 **Request for Proposal (RFP)** (2.32 MB)

 **Contract Forms** (9.04 MB)

 **Contract Acceptance & Award** (186.29 KB)

Competitive Solicitation Documentation

 **Proof of Publication** (1.9 MB)

-  **Proposal Opening Record Page** (352.76 KB)
-  **Proposal Evaluation** (213.36 KB)
-  **Evaluation Committee Comment & Review** (593.94 KB)
-  **Board Resolutions** (3.9 MB)

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Simply complete the online application or contact the Membership Team at membership@sourcewell-mn.gov or 877-585-9706.

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Our membership team is ready to help you every step of the way. Contact us for more information.



Sourcewell-mn.gov

membership@sourcewell-mn.gov

877-585-9706

Town of Waynesville

Member # 42448

A stylized, handwritten signature in black ink, appearing to read "Chad Couvette".

Dr. Chad Couvette, PhD, Executive Director/CEO

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: July 27, 2021

SUBJECT: Approve design of Cemetery Signs for Green Hill and Dix Hill

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Asset Services
Contact: Julie Grasty
Presenter: Julie Grasty

BRIEF SUMMARY: In 2019 the Town of Waynesville Historic Preservation Commission saw a need to have signs placed at each Cemetery. HPC members designed signage for the entrances to Green Hill and Dix Hill Cemetery. On March 16, 2021 the sign design was presented to the Cemetery Committee and approved unanimously by the committee.

Approved in the 2021/2022 Cemetery budget is \$ 8,000 for signage at both Cemeteries

MOTION FOR CONSIDERATION:

To approve/disapprove the design for signage for Green Hill and Dix Hill Cemetery as presented.

FUNDING SOURCE/IMPACT:

Cemetery-Capital Improvements 104740-545900 - \$ 8,000.00

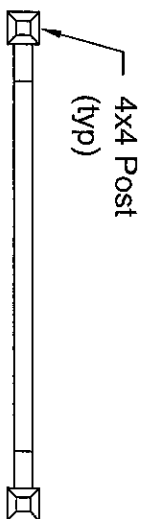
Autumn Lyvers, Finance Director

Date

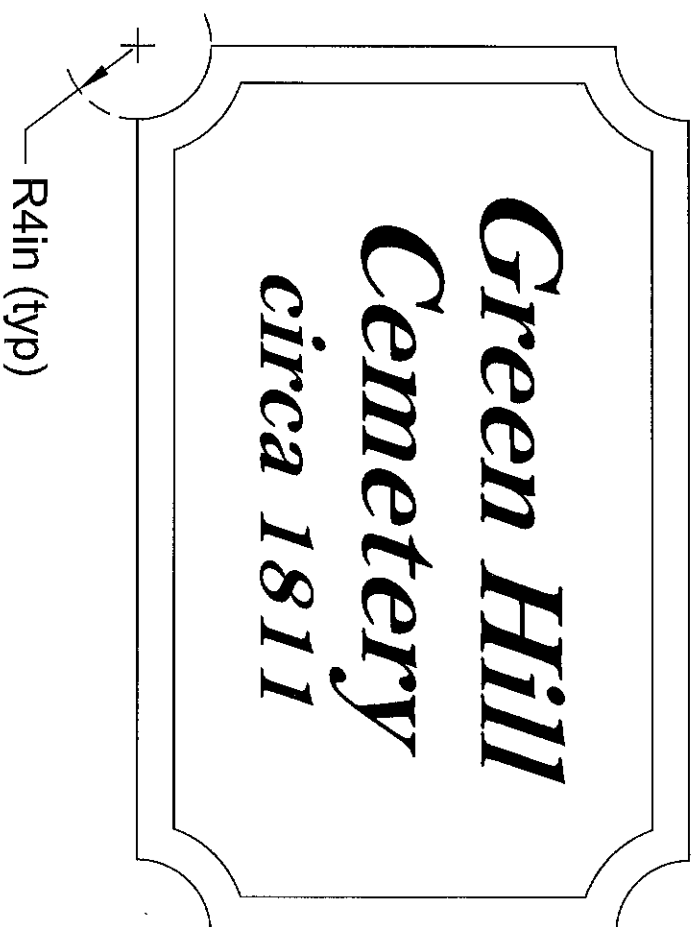
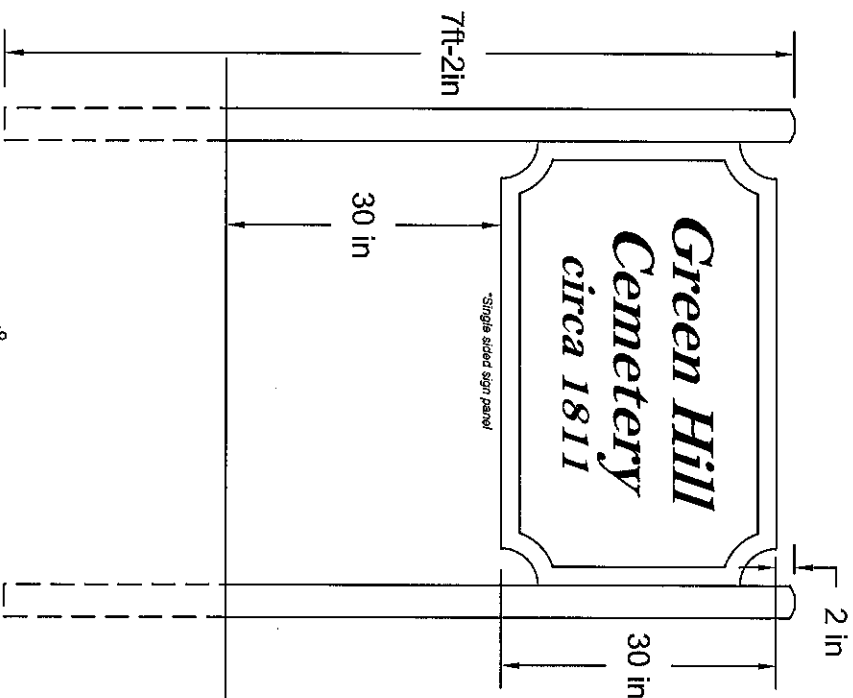
ATTACHMENTS:

- Sign Design
- Quotes from A to Z Signs and Engraving and The Print Haus
- Letter of Recommendation from Town of Waynesville Historic Preservation & Minutes from the March 3, 2021 meeting
- Minutes from March 16, 2021 Cemetery Committee Meeting
- Letter of Recommendation from the Pigeon Community Multicultural Development Center

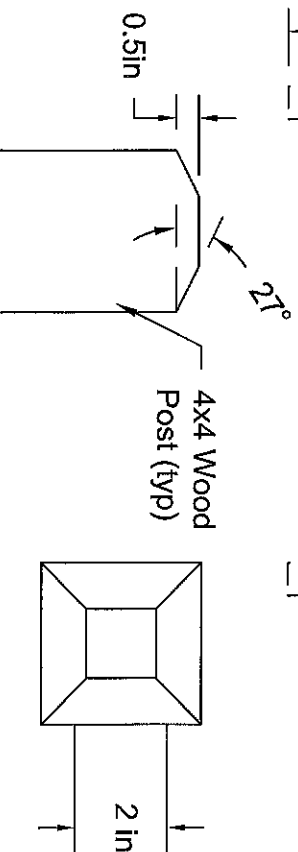
MANAGER'S COMMENTS AND RECOMMENDATIONS



Sandblasted Wood Sign

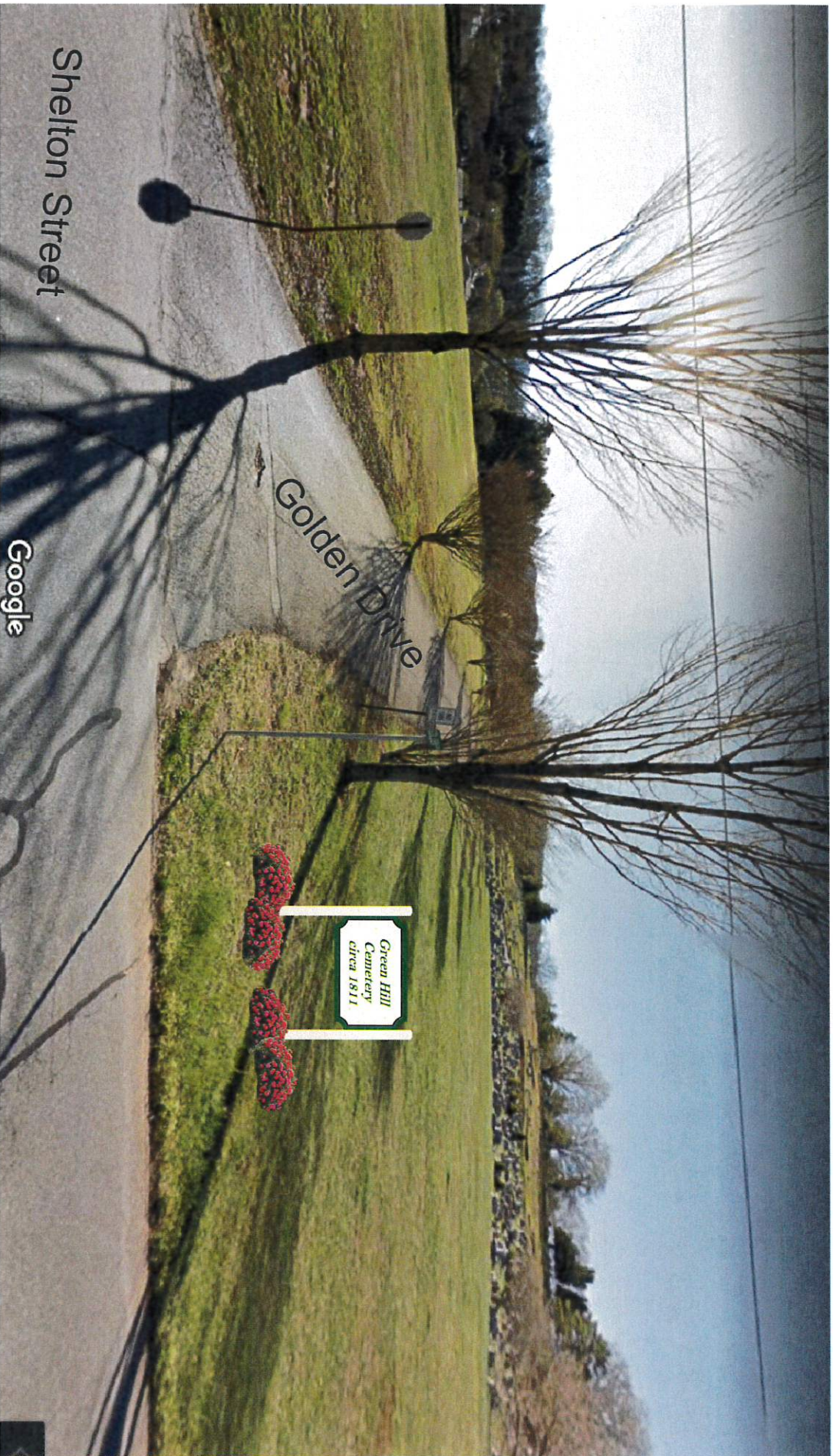


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2.5in
3in
4.75in
2in



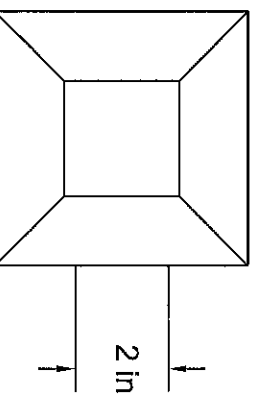
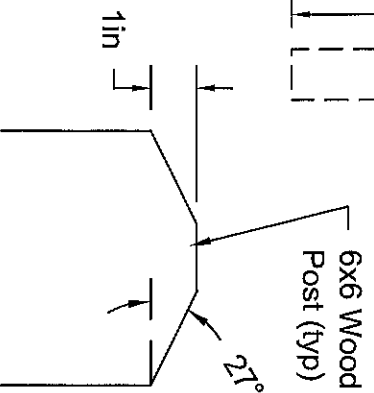
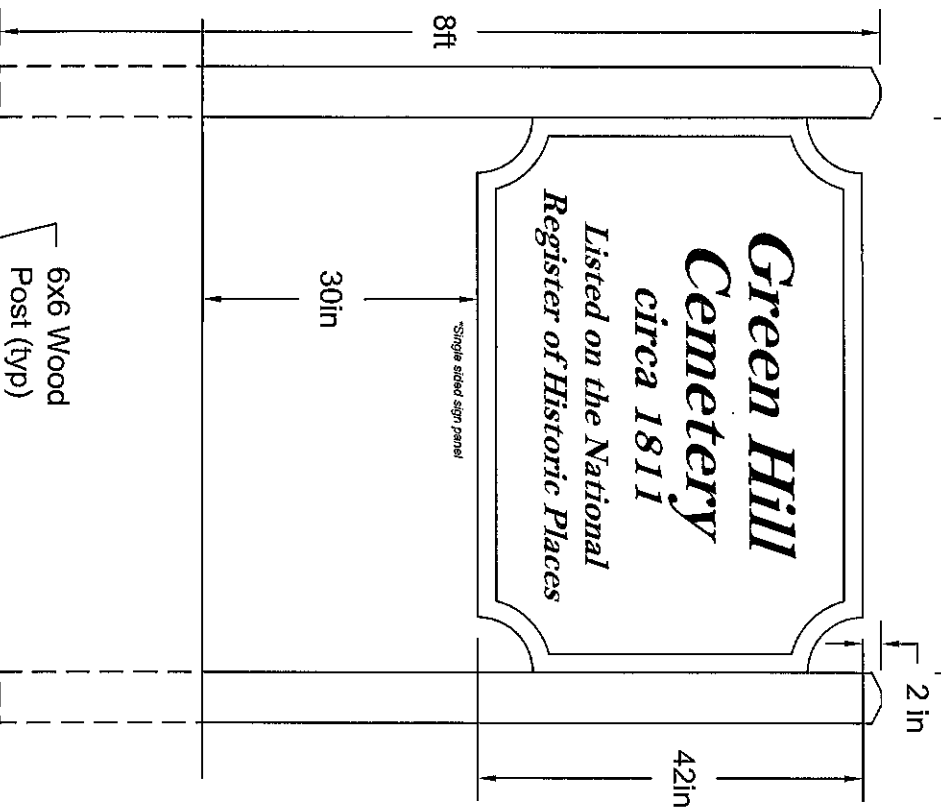
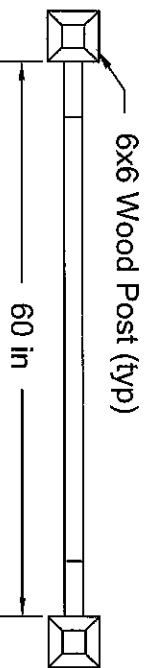
Note: Colors to be chosen prior to fabrication.

**Proposed Green Hill Cemetery Sign
at Shelton Drive and Golden Drive
Town of Waynesville, Historic Preservation Commission
March 2021**



Shelton Street

Google



Sandblasted Wood Sign



2in
5.25in
5in
2in
5in
2in
3.5in
3in
2.5in
2in
2.5in
5.25in
2in

Note: Colors to be chosen prior to fabrication.

Proposed Green Hill Cemetery Sign

at Hillview Circle

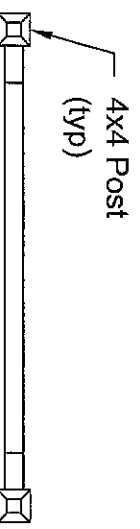
Town of Waynesville, Historic Preservation Commission

March 2021



S. Main Street

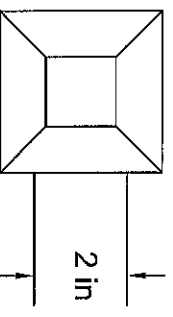
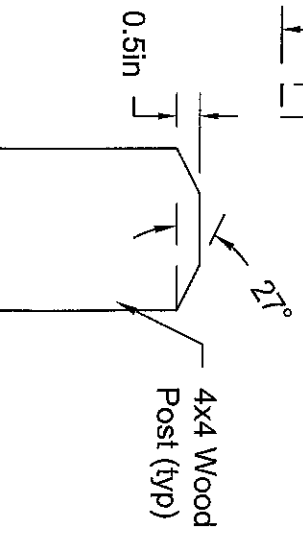
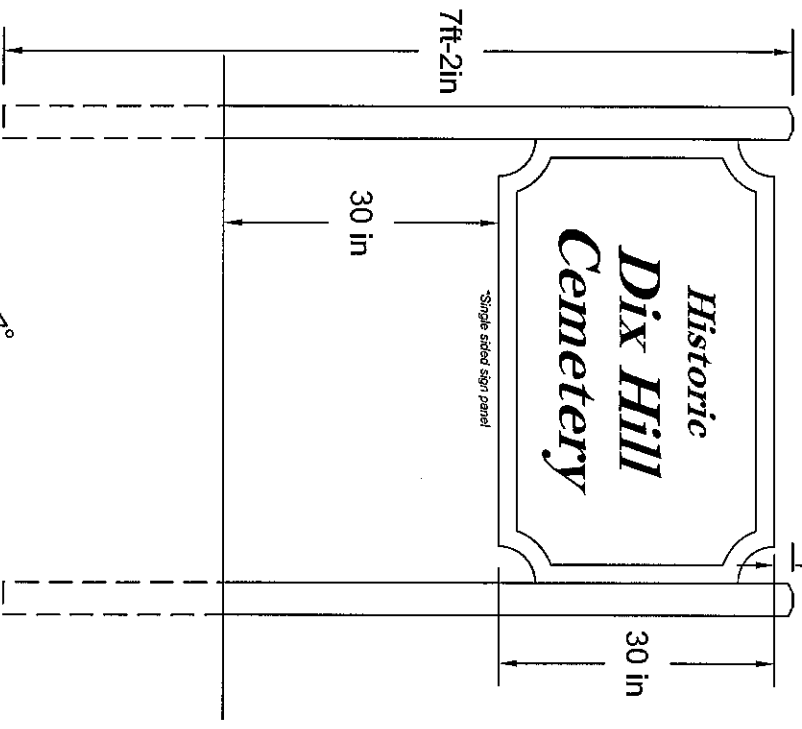
Hillview Circle



Sandblasted Wood Sign



2in
4.5in
3in
3in
4.5in
2in
4.5in
2in



Note: Colors to be chosen prior to fabrication.

Proposed Dix Hill Cemetery Signs

Town of Waynesville, Historic Preservation Commission
March 2021



A to Z SIGNS & ENGRAVING

SIGNSANDENGRAVING.NET 828-454-0983

151G SULPHUR SPRINGS ROAD • WAYNESVILLE, NC 28786

Sales Quote

Date	Quote #
7/16/2021	4771

Name / Address
Town of Waynesville Attn: Amie Owens PO Box 100 Waynesville, NC 28786

Ship To
Bill Revis Green Hill Cemetery

P.O. No.	Terms	Rep
	Net 30	JND

Description	Qty	Amount	Total
Sandblasted Sign 42" x 60" x 1.5" blasted (pebble finish) Green Hill Cemetery circa 1811 [Hillview Circle] one sided Sign Accessories 5" x 5" PVC post covers over 4x4 PT posts, PVC caps on top, posts set in concrete, angle brackets mounted on back of sign, includes installation, no permitting [Hillview Circle]	1	1,650.00	1,650.00T
Sandblasted Sign 30" x 48" x 1.5" blasted (pebble finish) Green Hill Cemetery circa 1811 + Listed on the National Register [Golden Drive] one sided Sign Accessories 5" x 5" PVC post covers over 4x4 PT posts, PVC caps on top, posts set in concrete, angle brackets mounted on back of sign, includes installation, no permitting [Hillview Circle]	1	325.00	325.00T
Sandblasted Sign 30" x 48" x 1.5" blasted (pebble finish) Green Hill Cemetery circa 1811 + Listed on the National Register [Golden Drive] one sided Sign Accessories 5" x 5" PVC post covers over 4x4 PT posts, PVC caps on top, posts set in concrete, angle brackets mounted on back of sign, includes installation, no permitting [Hillview Circle]	1	965.00	965.00T
Sandblasted Sign 30" x 48" x 1.5" blasted (pebble finish) Historic Dix Hill Cemetery [Golden Drive] one sided Sign Accessories 5" x 5" PVC post covers over 4x4 PT posts, PVC caps on top, posts set in concrete, angle brackets mounted on back of sign, includes installation, no permitting [McCracken St off Pigeon]	2	325.00	650.00T
Local Sales Tax		7.00%	409.15
Total			\$6,254.15



THE PRINT HAUS
641 N. Main Street
Waynesville, NC 28786
(828) 456-4287
Fax (828) 456-8230

THE PRINT HAUS
509 Asheville Hwy., Suite B
Sylva, NC 28779
(828) 586-4287
Fax (828) 586-8230

Estimate 370

Date: 7/19/21

Customer No: 1008

Customer PO:

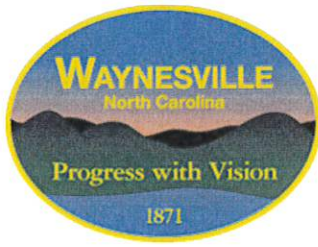
Ship To:

Bill Revis
Town of Waynesville
P.O. Box 100
Waynesville NC 28786
Phone: 828-456-8440

Bill To:

Brittany Angel
Town of Waynesville
P.O. Box 100
Waynesville NC 28786
Phone: 828.456.2028

Quantity	Description	Amount
3	30"x48" Sandblasted Cedar Sign - Painted White with Black Lettering - Single Sided	\$ 3,825.00
	Painted/ Cut Post System (4x4s) to customer specification - Includes Hardware (mounts through sign) - 2 sets	\$ 900.00
1	42"x60" Sandblasted Cedar Sign - Painted White with Black Lettering - Single Sided	\$ 2,231.25
	Painted/ Cut Post System (6x6s) to customer specification - Includes Hardware (mounts through sign)	\$ 450.00
	Installation for All Signs (Installed in Concrete)	\$ 900.00
PLEASE PAY BY THIS INVOICE. (Statements Sent By Request Only.)		
Sales Rep: Chris	Ship Via: Deliver	SUBTOTAL \$ 8,306.25
Taken by: Chris	Wanted: Mon 5/6/19	TAX \$ 581.44
Account Type: Charge		TOTAL \$ 8,887.69
CREDIT POLICY: Charge Account with approved credit. NET 30 DAYS. 1-1/2% interest/month after 30 days. Account not paid after 90 days will be turned over to collections and customer will be responsible for all court costs and attorney fees. Thank you!		AMOUNT DUE \$ 8,887.69



TOWN OF WAYNESVILLE

Historic Preservation Commission

9 South Main Street
Waynesville, NC 28786
Phone (828) 456-8647 • Fax (828) 452-1492
www.waynesvillenc.gov

Chairman

Sandra Owen

Board Members

Alex McKay (Vice)

Jeff Childers

Rodney Conard

Linda Lee

Ann Melton

William Revis

Lorna Sterling

Merritt Tongen

Development Services

Director

Elizabeth Teague

From: The Historic Preservation Commission

To: The Board of Alderman

Subject: Proposed Green Hill Cemetery Signs

As you all know, Green Hill Cemetery was added to the National Register of Historic Places in May 2018. The cemetery is most visible from South Main Street, which is heavily traveled, but because of the lack of a sign at that location, passersby may not be aware of the significance or historic designation of the cemetery. Additionally, from Shelton Street, the cemetery's other access point, there is no signage to indicate the cemetery's importance.

The Historic Preservation Commission has proposed the installation of signs at each of the intersections from which the public can access the cemetery – Hillview Circle/Veterans Circle and Shelton Street/Golden Drive. The installation of these signs has also been considered and is supported by the Cemetery Committee.

The Historic Preservation Commission fully and enthusiastically supports the installation of the signs at the locations referenced above.

Thank you for your consideration regarding this valuable historic and cultural resource.



TOWN OF WAYNESVILLE

Historic Preservation Commission

9 South Main Street
Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492
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Development Services
Director
Elizabeth Teague

Sandra Owen, Chairman
Alex McKay, Vice-Chairman
Jeff Childers
Rodney Conard
Linda Ann Lee
Ann Melton
Bill Revis
Lorna Sterling
Merritt Tongen

Regular Meeting

Town Hall, 9 South Main Street, Waynesville, NC 28786
Wednesday, March 3rd, 2021 2:00 PM

The **WAYNESVILLE HISTORIC PRESERVATION COMMISSION** held a regular meeting on Wednesday, March 3, 2021 at 2:00 PM in the Board Room of Town Hall.

A. CALL TO ORDER:

Ms. Sandra Owen, Chairman, called the meeting to order at 2:00 PM.

The following members were present:

Jeff Childers
Rodney Conard
Alex McKay
Sandra Owen
Bill Revis

The following members participated via phone:

Ann Melton
Lorna Sterling

The following guests participated via phone:

Annie McDonald – SHPO Preservation Specialist
Jaime Destefano – Historic Preservation Consultant
Jonathan Yates – Outside Facility Manager
Julie Grasty – Asset Manager
Edwin Fish – Chairman of the Cemetery Committee

The following members were absent:

Linda Ann Lee
Merritt Tongen

The following staff members were present:

Byron Hickox, Land Use Administrator
Esther Coulter, Administrative Assistant

Chairman Owen asked for a motion to adopt the February 3rd, 2021 minutes.

Historic Preservation Commission Minutes
Regular Meeting
March 3rd, 2021

A motion was made by Commission Member Ann Melton, seconded by Commission Member Alex McKay to approve the minutes of the February 3rd, 2021 meeting as presented or as corrected. The motion passed unanimously.

1. Discussion of Upcoming Survey

Land Use Administrator Byron Hickox introduced Annie McDonald and Jaime Destefano, who were participating via phone. Ms. McDonald stated that she is the Preservation Specialist for the State Historical Preservation Western Office in Asheville. She discussed Waynesville's need for additional surveys and briefly discussed past surveys.

- The first western regional survey was done in 1972-1973.
- Haywood County's earliest survey was 1978-1979.
- A comprehensive county-wide survey was done by Randy Cotton in 1983.
- In 1996, Waynesville's first targeted architectural survey was conducted by Maxum Alexander and Associates from Charlotte.
- There is a big gap in survey documentation between the years 1996-2018.
- In 2003 the Frog Level Historic District was listed on The National Register.
- Main Street District was listed on The National Register in 2005.
- In 2010 the Spread Out Historic District was listed on The National Register.
- In 2017-2018 a survey was conducted of African American related resources which resulted in the study list designation of Dix Hill Cemetery.

Ms. McDonald introduced Jaime Destefano, the consultant selected by the HPC to conduct the upcoming survey. Ms. Destefano has done extensive survey work in the Southern and Mid-Atlantic regions. She recently did a survey in Sylva and is currently working in Wilson, NC. Ms. Destefano explained that she would be conducting field work in early April 2021. She told the board that there are about 100 properties that will be re-surveyed as well as an additional 100 properties to add to the survey inventory. She indicated that she will select post-war properties that have not been previously documented. She also expects to identify up to five historic districts or neighborhood groupings of resources to be evaluated for placement on the study list.

Ms. Destefano encouraged the HPC members to email her with any relevant historic information, historic photos, or property records - jld.preservationconsulting@gmail.com.

Commission Member Lorna Sterling asked about a press release.

Mr. Hickox stated he was going to let the Waynesville PD know all the details of Ms. Destefano's visit to Waynesville. He asked Commission Members Ms. Sterling and Ms. Melton to send an article to the Mountaineer about the survey.

2. Discussion of Green Hill Cemetery Signage

Byron Hickox asked three guests to introduce themselves:

Jonathan Yates – Outside Facility Manager
Julie Grasty – Asset Manager
Edwin Fish – Chairman of the Cemetery Committee

Asset Service Manager, Julie Grasty stated that she had placed the Green Hill Cemetery signage in her budget for 2021, but due to Covid-related cuts, it was removed. She is placing it into her department's budget for 2022 and is asking the Historic Preservation Commission for their support to present it to the Board of Alderman for approval.

A motion was made by Commission Member Ann Melton, seconded by Commission Member Alex McKay, to officially request that the Board of Alderman place funding in the 2022 Town Budget for signage identifying Green Hill and Dix Hill Cemeteries. The motion passed unanimously.

3. Discussion of Possible Historic Preservation Fund Grant Projects.

Land Use Administrator Byron Hickox stated that he asked Annie McDonald for advice regarding the upcoming State Historic Preservation Fund Grant application. He is waiting to hear back from her before he proceeds forward with the grant preparation process.

4. Discussion of Sulphur Springs Park

Commission Member Rodney Conard said that he talked to architects John Zucker and Patty Glazier regarding renovation of the Spring House. He stated that TDA may have available grant funds for such a project.

5. Creation of HPC Member Handbook

Commission Member Lorna Sterling is going to put together a handbook for distribution to new HPC members.

ADJOURN

With no further business, a motion was made by Commission Member Lorna Sterling, seconded by Commission Member Bill Revis to adjourn at 3:01 PM. The motion carried unanimously.

Sandra Owen, Chairman

Esther Coulter, Administrative Assistant

MINUTES OF THE TOWN OF WAYNESVILLE CEMETERY COMMISSION
REGULAR MEETING
March 16, 2021

THE WAYNESVILLE CEMETERY COMMISSION held its regular meeting on Tuesday March 16, 2021, at 2:00 p.m. in the training room of the Public Services Building, 129 Legion Drive, Waynesville, NC.

A. CALL TO ORDER

Chairman Edwin Fish called the meeting to order at 2:00 p.m. with the following members present:

Edwin Fish
William Revis
James Burke
Warren Putnam
Elizabeth Atkinson
Roy Pressley

Commission Member Randy Mathis was absent.

The following staff members were present:

Asset Services Manager Julie Grasty
Outside Facilities Supervisor Jonathan Yates
Assistant Town Manager Jesse Fowler
Land Use Administrator Byron Hickox

1. Adoption of Minutes

A motion was made by Commission Member Elizabeth Atkinson, seconded by Commission member Jim Burke, to approve the minutes of the November 17th, 2020 meeting as presented. The motion passed unanimously.

2. Chairman Edwin Fish welcomed Roy Pressley to the committee. Asset Services Manager Julie Grasty administered the oath of office to Mr. Pressley.

3. Public Comment

No public Comment

4. Discussion:

a. Clean-Up-

Outside Facilities Supervisor gave an update on the Clean-up process. Mr. Yates explained that in the coming weeks employees will begin the "big" clean-up prior to mowing season.

Asset Services Manager Julie Grasty explained to the committee that the solar lights that have been placed on the graves will be taken up and placed in the center of each headstone per the Ordinance Sec. 18-20 (d). There was much discussion about group activities and the placement of the solar lights. The committee asked that a new section be written in reference to articles being placed on graves without permission. Asset Services Manager Julie Grasty will work with the Town Attorney to amend the current Ordinance.

b. Veterans Section-

Committee Member Roy Pressley told the Committee that the American Legion will take care of cleaning up the Veterans Section.

c. Budget-

Asset Services Manager Julie Grasty updated the Committee on the budget process and the Capital Items that have been requested in the upcoming budget.

d. Signage-

Committee Member Bill Revis explained the signage for Green Hill had been in the works for several years and had been placed on hold due to funding. Included in the upcoming budget is a \$ 8,000.00 request for signage at Green Hill and Dix Hill. Mr. Revis also brought to the attention that the Historic Preservation Committee at their March 3rd, 2021 meeting endorsed the proposed signage as keeping with other historical signs such as Shelton House.

A motion was made by Commission Member Jim Burke, seconded by Commission member Warren Putnam to approve the signage as presented. The motion passed unanimously.

e. 20- Year Plan

There was much discussion about a 20 Year Plan, and it was decided that the Committee would meet on April 20th at 1:00 p.m. to have a work session to discuss the 20 year plan more in depth.

E. Other Business

A work session is scheduled for April 20th, 2021 at 1:00 pm.

The next meeting is scheduled for July 20th, 2021 at 2:00 pm.

F. Adjourn

With no further business, a motion was made by Commission Member James Burke seconded by Commission Member Bill Revis, to adjourn the meeting at 3:40 pm. The motion carried unanimously.

ATTEST:


Julie Grasty, Asset Services Manager


Edwin Fish, Chairman



April 15, 2021

Julie Grasty
Asset Services Manager
Town of Waynesville, North Carolina

Subject: Dix Hill Cemetery Signs

Ms. Grasty,

The Town of Waynesville's (Town) Cemetery Committee has approached the Pigeon Community Multicultural Development Center (PCMDC) about supporting the installation of signs at the historic Dix Hill Cemetery. It is understood this effort is to create consistency in signage between the two cemeteries managed by the Town – Green Hill and Dix Hill. PCMDC serves as the center of Waynesville's historically African American community, and Dix Hill is believed to be the first black cemetery in Haywood County. We are thankful for the opportunity to provide support for signs formally identifying this locally significant landmark.

Consider this a letter of support from PCMDC for said signs as presented as attached to this letter.

Sincerely,

/s/

Jeff Childers
Board of Directors
Pigeon Community Multicultural Development Center

Enclosures

CC:
Ed Fish
Jonathan Yates
Byron Hickox
Bill Revis



Application for Special Events Permit

I. General Information

EVENT NAME:

OPEN CAR SHOW

EVENT DATE(S):

August 28, 2021

Note: If event is more than three days in duration, and not in the public right-of-way, you will also need a temporary event permit. Contact the Waynesville Police Dept. at 828-456-5363 for more information.

LOCATION

265 ~~HAZEL~~ VIRGINIA AVENUE

IF THIS EVENT IS A PARADE OR ROAD RACE

Please provide a full route description and map

SET-UP TIME (START/END):

Am Pm
9-3

EVENT HOURS:

10am - 2pm

DISMANTLE HOURS (START/END):

2pm - 3pm

ESTIMATED ATTENDANCE:

300

BASIS ON WHICH THIS ESTIMATE IS MADE:

PREVIOUS YEARS

COMPREHENSIVE GENERAL LIABILITY INSURANCE REQUIRED: \$1,000,000.

Please attach proof of insurance (or applicable rider).

II. Applicant and Sponsoring Organization Information

SPONSORING ORGANIZATION NAME:

~~Many Local Businesses~~ HAZELWOOD BAPTIST CHURCH

ARE YOU A NON PROFIT CORPORATION?

No

Yes

If yes, are you

501c(3)

501c(6)

Place of Worship

APPLICANT NAME:

DICK YOUNG
AVE

TITLE: CHURCH MEMBER

ADDRESS:

265 VIRGINIA CITY: Waynesville STATE: NC ZIP 28786

PHONE:

550-0709

FAX#:

EMAIL:

ON-SITE CONTACT:

DICK YOUNG

TITLE:

ADDRESS:

PHONE #:

ABOVE

CELL PHONE #:

ABOVE

EMAIL:

III. Brief Description of Event

Can Show For All makes & models

IV. Street Closure Request (Attach map of the Street Closure)

List any street(s) (or lanes of streets) requiring temporary street closure as a result of this event.

Include street name(s) indicating beginning and endpoints of the closing, day, date and time of closing and reopening:

1. VIRGINIA AVE. FROM HAZELWOOD TO KENTUCKY

2.

3.

V. Event Details

YES

NO

☐
☒

Does the event involve the sale or use of alcoholic beverages?

If yes, has the ABC permit been obtained? Yes ☐ No ☐ Please provide a graphic of the area where alcoholic beverages will be purchased or consumed (i.e. beer garden layout)

☒
☐

Does the event involve the sale of food? _____

If "YES", has the health department been notified? _____ Have you applied for a temporary permit? _____

☐
☒

Does the event involve the sale of non-food items? If "YES" have you applied for a privilege license? _____

☒
☐

Will there be musical entertainment at your event? IF "YES" provide the following information:

Number of Stages: 0

Number of Band(s): YES

Amplification? _____

Note: If amplification is used, you will be required to perform a pretest for compliance with the noise ordinance.

☐
☒

Do you plan to use an existing occupied building? Address _____

☐
☒

Do you plan to use an existing vacant building? Address _____

☒
☐

Will there be any tents or canopies in the proposed event site? Please provide the following information:

Approx. Number of Tents: CAN COVERS

Will any tent exceed 400 sq. feet in area? ☒ NO ☐ YES

☐
☒

Does the event involve the use of pyrotechnics? Explain _____

☐
☒

Will you provide portable toilets for the general public attending your event? IF SO, how many and where will they be located? CHURCH BATHROOM

☒
☐

Will you require electrical hookup for the event? Generators? CHURCH POWER

☒
☐

Will you require access to water for the event? Explain CHURCH WATER

☒
☒

Will admission fees be charged to attend this event? If "YES", provide the amount(s) of all tickets. \$20

☒
☐

Will fees be charged to vendors to participate in this event? If "YES", please provide the amount(s). \$20

☐
☒

Will signs and/or banners be displayed as part of the event? If "YES" have you applied for a sign permit? _____

☐
☒

Will inflatable parade balloons be used for the event? Provide details if necessary.

VI. Additional Questions

How will **parking** be accommodated for this event?

CHURCH PARKING LOT

Notes:

1. Parking and buildings involved may be examined for ADA compliance.
2. You may be required to provide a shuttle if the event places undue demands on surrounding parking areas.

How will **trash** be contained and removed during and after the event?

CHURCH HAS TRASH CANS

Volunteers: Will you require Civilian Police Volunteers for your event?

Apply for this permit at least 60 days prior to your special event. (30 days for a neighborhood street closing)

Return to:

~~Ann Owens, Assistant Town Manager~~

Town of Waynesville

16 S. Main Street, P.O. Box 100, Waynesville, NC 28786

Telephone: (828) 452-2491

Fax No. : (828) 456-2000

Email Address: aowens@waynesvillenc.gov

JESSE FOWLER, ASSISTANT TOWN MANAGER

VIII. Special Information for Applicants

- * Do not announce, advertise or promote your event until you have an approved and signed permit.
- * You will be required to notify property owners affected by the event at the time a special events permit is issued with a copy of any correspondence provided to the Town for the permit file.
- * **Only chalk may be used on streets – no permanent paint. No permanent alterations to the street will be permitted.**
- * The Town has an ordinance prohibiting the use of tobacco and e-cigarettes in the business districts and all parks of the Town. The Applicant is to communicate this information to all vendors and participants. Permanent signs are in place in these districts and parks.
- * The Town has an ordinance allowing animals at festivals. Any incidents should be reported to the Police Department.
- * The Applicant shall be responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing on-duty law enforcement officers, to appropriately police street closures. For festivals, the Applicant shall be additionally responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing city staff, including but not limited to: on-duty law enforcement officers, to provide internal festival security and for hiring and paying necessary emergency medical technicians.
- * The Assistant Town Manager, in consultation with the Waynesville Police Department, shall determine the number of officers needed to appropriately monitor street closures and for internal security, and with the Fire Department to determine the number of emergency medical technicians needed, and the time when such services shall commence and end.

FOR INTERNAL USE ONLY:

Application received:

Application approved:

Application denied: