

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

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.

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
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