



Town of Waynesville, NC

Board of Aldermen Regular Meeting

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

Date: February 22, 2022 Time: 6:00 p.m.

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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. ADDITIONS OR DELETIONS TO THE AGENDA**
- D. 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 February 8, 2022 regular meeting
- ii. Special Event Application – Bikers in Boxers

Motion: To approve the consent agenda as presented.

- D. PRESENTATION**
 - 2. Recognition of recent promotions
 - Chief David Adams
 - Retirement of K-9 Cairo (2010-2022 - 12 years of service)
 - Chief David Adams
- E. PUBLIC HEARING**
 - 3. Call for a Public Hearing for March 22, 2022 to consider the Stormwater Ordinance Text Amendment, Section 12.5 of the Land Development Standards (LDS).
 - Development Services Director, Elizabeth Teague

Motion: To Call for a Public Hearing to be held on Tuesday March 22, 2022 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 Stormwater Ordinance Text Amendment, Section 12.5 of the Land Development Standards (LDS)

4. Calls for Public Hearings for March 22, 2022 to consider the following Text Amendments in the Land Development Standards (LDS):
 - Development Services Director, Elizabeth Teague
1. Multiple text amendments to provide additional clarifications and definitions related to 160D and minor corrections; and
2. Revisions to LDS Section 6.19 Transportation Impact Analysis.

Motion: To Call for a Public Hearing to be held on Tuesday March 22, 2022 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 multiple text amendments to provide additional clarifications and definitions related to 160D and minor corrections; and Revisions to LDS Section 6.19 Transportation Impact Analysis.

5. Call for Public Hearing for March 8, 2022 to discuss Financing for Fire Station and Tanker Truck, and to refinance existing loan
 - Town Manager Rob Hites

Motion: To Call for a Public Hearing to be held on Tuesday March 8, 2022 at 6:00 pm or as closely thereafter as possible in the Town Hall Board room located at 9 South Main Street Waynesville to discuss Financing for Fire Station and Tanker Truck, and to refinance existing loan.

F. NEW BUSINESS

6. Board Retreat
 - Town Manager Rob Hites

Motion: To set a date for a Board of Alderman Winter retreat

G. COMMUNICATION FROM STAFF

7. Manager's Report
 - Town Manager, Rob Hites
8. Town Attorney Report
 - Town Attorney, Martha Bradley

H. COMMUNICATIONS FROM THE MAYOR AND BOARD

I. 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 March 2022

2022	
Tuesday March 8	Board of Aldermen Meeting – Regular Session
Tuesday March 22	Board of Aldermen Meeting – Regular Session
Saturday April 2	Gateway to the Smokies Marathon/Mighty 4 Miler to benefit the Riley Howell Foundation 8:00 am – 12:00 noon
Tuesday April 12	Board of Aldermen Meeting – Regular Session
Friday April 15	Town Offices Closed – Good Friday
Tuesday April 26	Board of Aldermen Meeting – Regular Session
Saturday May 7	Whole Bloomin' Thing Festival – 9:00 am – 4:00 pm
Tuesday May 10	Board of Alderman Meeting – Regular Session
Monday May 24	Board of Aldermen Meeting – Regular Session
Monday May 30	Town Offices Closed – Memorial Day
Tuesday June 14	Board of Aldermen Meeting – Regular Session
Tuesday June 28	Board of Aldermen Meeting – Regular Session
Monday July 4	Town Offices Closed – Independence Day
Tuesday July 12	Board of Aldermen Meeting – Regular Session
Tuesday July 26	Board of Aldermen Meeting – Regular Session
Tuesday August 9	Board of Aldermen Meeting – Regular Session
Tuesday August 23	Board of Aldermen Meeting – Regular Session
Monday September 5	Town Offices Closed – Labor Day
Tuesday September 13	Board of Aldermen Meeting – Regular Session
Tuesday September 27	Board of Aldermen Meeting – Regular Session
Tuesday October 11	Board of Aldermen Meeting – Regular Session
Tuesday October 25	Board of Aldermen Meeting – Regular Session
Tuesday November 8	Board of Aldermen Meeting – Regular Session
Tuesday November 11	Town Offices Closed – Veterans Day
Friday November 22	Board of Aldermen Meeting – Regular Session
Tuesday December 13	Board of Aldermen Meeting – Regular Session
December 23, 24 & 27th	Town Closed – Christmas Holidays

Board and Commission Meetings – March 2022

ABC Board	ABC Office – 52 Dayco Drive	March 15 3 rd Tuesday 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	March 1 1 st Tuesday 5:30 PM
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	March 2 1 st Wednesday 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	March 21 3 rd Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	March 10 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	March 16 3 rd Wednesday 5:30 PM
Waynesville Housing Authority	Waynesville Towers – 65 Church Street	March 8 2 nd Tuesday 3:30 PM

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
Regular Meeting
February 8, 2022

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday February 8, 2022, 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 6:05 pm with the following members present:

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

The following staff members were present:

Rob Hites, Town Manager
Jesse Fowler, Assistant Town Manager
Eddie Ward, Town Clerk
Martha Bradley, Town Attorney
David Adams, Police Chief
Police Department Officers
Jeff Stines, Public Services Director
Fire Chief Joey Webb
Assistant Fire Chief Chris Mehaffey
Misty Hagood, Finance Director
Beth Gilmore, Downtown Director

The following media representative was present:

Becky Johnson, Mountaineer
Cory Valliancort, Smoky Mountain News

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone to the meeting and reminded everyone of the Polar Plunge, sponsored by Haywood Waterways benefitting the “Kids in the Creek” program, on Saturday February 12, 2022.

B. PRESENTATION

3. The Chief's Award granted to Lt. Christopher Chandler and The Life Saving Award granted to Det. Samuel Holland

- Chief David Adams

Waynesville Police Chief David Adams presented Detective Sam Holland with a Life Saving Award and Sr. Lieutenant Chris Chandler with the Chief's Award for their demonstration and restraint in the incident on January 24, 2022. He said both Officers far exceeded expectations, and that without their actions on that day, there would have been a death resulting from the altercation. Chief Adams gave praise to both for their actions, and lives being saved.

Alderman Jon Feichter said that there were several people interested in the Solar Power proposal, and he realizes that this is a complicated issue. He said there is a vast pool of knowledge in Waynesville from the Town's Electrical Department, solar power providers, and residents of Waynesville. To get the best chance to craft the solar power program, Alderman Feichter suggested a meeting with all the stakeholders and anyone who is interested in the issue to attend a meeting on February 21st at 5:30 pm in the training room of Public Works. The purpose of the meeting will be to begin work on the proposal that can be brought to the Board for further action.

A motion was made by Alderman Jon Feichter, seconded by Alderman Anthony Sutton, to convene a Special Called meeting at the Public Services training room on February 21, 2022, beginning at 5:30 pm to consider the issue of solar power development in Waynesville. The motion cleared unanimously.

B. PUBLIC COMMENT

The following people made comments concerning the solar power issue:

Steve Lloyd
Edward Wright
Michael Boss
Susan Williams
Betsy Wall

Steve Wall
Ginger Hain
William Hite
Mary Alice Lodico
Michael Lodico

John Culp

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.

- Adoption of minutes of the February 8, 2022, regular meeting
- Special Event Application Gateway to the Smokies Half Marathon
- Special Event Application - Whole Bloomin Thing

A motion was made by Alderwoman Julia Freeman, seconded by Alderman Chuck Dickson, to approve the Consent Agenda as presented. The motion passed unanimously.

D. PROCLAMATION

4. Developmental Disability Awareness Month

- Mayor Gary Caldwell

Mayor Caldwell read a Proclamation for Developmental Disability Awareness Month and Mr. Raheed Saunders, Vice President of Abound Health accepted the Proclamation.

E. PRESENTATION

5. Waynesville Fire Department Annual Report

- Assistant Fire Chief Chris Mehaffey

Assistant Fire Chief Chris Mehaffey presented the annual report for the Waynesville Fire Department. He pointed out some accomplishments including the purchase of land for the new fire station 3 which will add personnel and equipment that is needed on the west end of Town. A new position of Fire Marshall was added which had been discussed and needed for a long time. The addition of two part-time positions has made a great impact at the station.

The call over-lap volume has increased from 28% to 30% which means that anytime there is a call, 30% of the time the firemen are already on another call. Those statistics mean that the Fire Department needs additional trucks and personnel, especially with all the development that is coming down the pipeline.

F. NEW BUSINESS

6. No Parking Signs – Hyatt Street, Rock Street and Overbrook Street

- Jeff Stines, Public Services Director

Mr. Jeff Stines told the Board that Public Services and Development Services have received several complaints from concerned citizens regarding on-street parking on Hyatt Street, Rock Street and Overbrook Street. Mr. Stines said he would like to place no parking signs on these streets.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson , to approve the installation of “No On-Street Parking” signs on Hyatt Street, Rock Street and Overbrook Street. The motion passed unanimously.

Mayor Caldwell asked Mr. Stines if the Public Services could help with moving the new sign in the Cemetery. Mr. Stines agreed.

7. Haywood Waterways Donation Towards “The Plunge Benefitting the Kids”

- Jesse Fowler, Assistant Town Manager

Assistant Manager Fowler said that the Haywood Waterways Association is hosting their annual Plunge Benefitting the Kids this month on February 12th, and they have asked that the Board of Aldermen donate \$500 dollars towards the event. The Board of Aldermen has donated in support of “The Plunge” in recent years. All money raised for this event goes to support Haywood Waterways Kids in the Creek program which is an educational program serving roughly 500 of kids every year. This program teaches kids about the importance of water and clean water in Haywood County.

Alderwoman Julia Freeman said she would like to raise the amount to \$750.00 to donate towards this event.

A motion was made by Alderwoman Julia Freeman, seconded by Alderman Anthony Sutton , to approve \$750.00 from Special Appropriations: Donations and Contributions, for a donation to Haywood Waterways “The Plunge Benefitting the Kids.” The motion passed unanimously.

8. Capital Project: Obama-King Park Grading and Site Preparation

- Jesse Fowler, Assistant Town Manager

Assistant Manager Fowler explain that the staff had received a conceptual site plan to grade the eastern section of Obama-King Park to open green space and prepare the site for a public restroom. The preliminary cost estimate is \$117,188.00 for this to be completed privately. The Public Services Department has reviewed this proposal, and they have found that they can perform all the work that is required, which will lower the cost of the project to approximately \$60,000.00.

The grading will include a large portion of the property to open extra green space and the construction of a retaining wall in preparation for the construction of a restroom. This construction will require formal bidding process and will be based on the designs used for the restrooms located along Miller Street.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Jon Feichter, to being site grading and construction of a retaining wall at Obama-King Park. The motion passed unanimously.

9. Capital Project: Miller Street Pavilion

- Jesse Fowler, Assistant Town Manager

This project was brought up about a year ago, and Assistant Manager Fowler said that staff had received the preliminary cost estimate for the construction of a pavilion located at the Music Men Mini Park at the intersection of North Main Street and Miller Street. The plan includes elevating the ground and inserting a pavilion for public use on the property. After doing research, buying a gazebo wasn't feasible because of the requirement of 2 – 4-hour fire treated lumber, and metal structures need to be treated so they are fire-proof. An Engineer worked with the Building Inspectors to design a structure to comply with the Town's Building Codes. The estimate for the site preparation and construction is \$81,480.00 and would be put out for a formal bid as a turn-key project.

Alderman Chuck Dickson commented that he was hoping that the Downtown Waynesville Advisory Committee to look at this in connection with the Downtown Streetscape plan that was completed in 2019 by Thomas Woltz Landscape Architect. He said he felt that this is a good project for them to look at, but he wants to make sure this a priority of the folks who live and work in Waynesville.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to begin the bidding process to construct a pavilion at the Miller Street Mini Park. The motion passed unanimously.

Mayor Caldwell stated that \$21,156.00 from one cell tower, and \$21,791.00 from a second cell tower. Manager Rob Hites said that a budget amendment from the General Fund to the Capital Project would be needed to fund the project.

10. Capital Project: Pavilion at Vance Street Skate Park

- Jesse Fowler, Assistant Town Manager

Assistant Manager Fowler said this project involves building a pavilion at the Vance Street Skate Park. It would replicate the existing at the Obama-King Park, and the engineered design used for that project will be used for the bid process. The estimated cost for this project is \$54,960.00 and will be bid out as a turn-key project.

Manager Hites asked the Board if they would like an informal quote for down lighting at the park. He said other areas of the parks are lit, and if this park has lighting, it could close at the same time the other parks in Town close. A quote can be obtained, and the Board can consider it at a later meeting.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to begin the bidding process to construct a pavilion at the Vance Street Skate Park. The motion passed unanimously.

Mayor Caldwell asked for a 10-minute break at 6:56 pm.
The meeting reconvened at 7:04 pm.

11. Selection of the Downtown Waynesville Advisory Committee

- Jesse Fowler, Assistant Town Manager

Assistant Manager Fowler said 21 applications had been received for the Downtown Waynesville Advisory Committee. There are three demographics to be chosen including Owners/Residents downtown, Merchants downtown, and at-large members. He explained the ballot process for choosing these applicants. There will be 13 members, including a Board member, and a Haywood County member.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to appoint the following selected applicants to the Downtown Waynesville Advisory Committee:

At-Large Members:

Ashley Rice – Term expires 06-30-22

Jay Spiro – Term expires 06-30-23

Alex McKay – Term expires 06-30-24

Owner/Resident Members

Courtney Tetrault – Term expires 06-30-23

Thomas Woltz – Term expires 06-30-23

Jeremiah Smith – Term expires 06-30-24

Pratik Shah – Term expires 06-30-24

Merchant

Susan Blumer – Term expires 06-30-22

Joyce Massie – Term expires 06-30-22

Robert Williams – Term expires 06-30-23

Jessica Garrick – Term expires 06-30-24

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson to appoint Jon Feichter as Town Representative. The motion carried unanimously.

Manager Hites suggested that letters be sent to each member with a choice of meeting dates for the first meeting.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton to appoint Mr. David Francis as County Representative to the Downtown Waynesville Advisory Committee. The motion passed unanimously.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to table the selection of the Chairman until the Committee meets and decides. The motion passed unanimously.

12. Budget Amendment for Downtown Waynesville Advisory Committee

- Misty Hagood, Finance Director

Finance Director Misty Hagood asked for approval of Ordinance No. O-02-22 Amendment to move the MSA taxes the Town receives from Special Appropriations – Taxes transferred to DWA to the newly created Downtown Waynesville Advisory Commission.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to approve Ordinance No. O-02-22, Amendment No. 15 in the amount of \$122,568 for the Downtown Waynesville Advisory Committee. The motion passed unanimously.

13. Approve nominations for 1% TDA committee

- Rob Hites, Town Manager

Manager Hites told the Board he had received a request from Ms. Lynn Collins, Executive Director of the TDA, for new appointees to the TDA 1% Zip Code Subcommittee.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to recommend Mr. Pratik Shah, Ms. Coleen Davis, and Alderman Jon Feichter to the Board of Commissioners of Haywood County for the TDA 1% Zip Code Subcommittee. The motion passed unanimously.

G. COMMUNICATION FROM STAFF

Manager's Report

- Rob Hites, Town Manager

Review and approve bids for Pigeon Street Utility Improvements

Manager Hites stated that the Town had received a low bid of \$398,500.00 from J. P. Howard Plumbing Company which is much lower than the amount quoted by Mattern Craig. He said the engineer had looked at the bid and the unit costs and recommends awarding the Pigeon Street utility contract to J. P. Howard Plumbing Co. The project is probably going to start in March or April.

Alderman Feichter asked about the progress on Chelsea Street Bridge. Manager Hites said the first set of core foundations and forms for the second set on the Chelsea Road side and working on the foundations for the other side of the bridge.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to award the contract for \$398,500.00 for the Pigeon Street Utility project to J. P. Howard Plumbing Company. The motion passed unanimously.

Town Attorney Report

- Martha Bradley, Town Attorney

Town Attorney Martha Bradley said she had reviewed the contract for Carolina Technologies for the Board Room Audio Visual equipment, and everything was in order and had been signed with an authorization to proceed.

H. COMMUNICATIONS FROM THE MAYOR AND BOARD

Alderman Dickson stated he had conversations with David Francis from Haywood County concerning an area between the Historic Courthouse and the Justice Center. The original plans for that area was for it to be an amphitheater. He said the Mr. Francis would like for Haywood County, in cooperation with the Town of Waynesville, to apply for a grant from the TDA 1% Committee to design an amphitheater for that area.

Alderman Dickson brought up that in the upcoming retreat, he would like to dedicate part of the session to visionary to look into the future and what we would want the Town to look like.

He discussed a quarterly newsletter that could be printed on the back of the utility bills. He proposed to allocate \$2200.00 for the March and June letters from the Advertising fund.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to allocate \$2200.00 from the Advertising Fund for March and June newsletters to be printed on the back of utility bills. The motion passed unanimously.

There was discussion concerning the dates for the Winter Board Retreat. Manager Hites suggested 1 full day and 1 half day for the reports and visionary. The dates will be decided at the next meeting.

I. ADJOURN

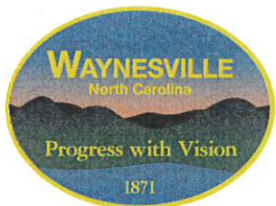
With no further business, a motion was made by Alderwoman Julia Freeman, seconded by Alderman Chuck Dickson, to adjourn the meeting at 7:51 pm. The motion carried unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Eddie Ward, Town Clerk



Application for Special Events Permit

I. General Information

EVENT NAME: Bikers In Boxes 10th Annual Winter Charity Ride

EVENT DATE(S): March 6, 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: Town of Waynesville, NC

IF THIS EVENT IS A PARADE OR ROAD RACE: Please provide a full route description and map

SET-UP TIME (START/END): 11:00am

EVENT HOURS: 2 hrs

DISMANTLE HOURS (START/END): 2 pm

ESTIMATED ATTENDANCE: 75

BASIS ON WHICH THIS ESTIMATE IS MADE: Previous Charity Rides

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: VFW Riders Group Post 5202

ARE YOU A NON PROFIT CORPORATION? No ☒ Yes ☐ If yes, are you ☒ 501c(3) ☐ 501c(6) Place of Worship

APPLICANT NAME: VFWRG Post 5202 TITLE: VFW Post 5202 Entity

ADDRESS: 216 Miller St CITY: Waynesville STATE: NC ZIP: 28786

PHONE: _____ FAX#: (828) 456-9344 EMAIL: _____

ON-SITE CONTACT: Chris Anders (828) 506-1609 TITLE: VFW Aux President

ADDRESS: 216 Miller St / Waynesville, NC / 28786

PHONE #: (828) 506-1609 CELL PHONE #: _____ EMAIL: anderschris@1869@gmail.com

Off on Wednesdays
Mon Tues Thurs Friday after 3:00pm

III. Brief Description of Event

Charity Ride to be led by police. Followed by motorcycles and a few cars.

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.

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: _____

Number of
Band(s): _____

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: _____

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? _____

☐☒

Will you require electrical hookup for the event? Generators? _____

☐☒

Will you require access to water for the event? Explain _____

☐☒

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

☐☒

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

☐☒

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?

No Parking

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?

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:

Amie Owens, Assistant Town Manager

Town of Waynesville

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

Telephone: (828) 452-2491

Fax No.: (828) 456-2000

Email Address: amie@waynesville-nc.gov

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.

Bikers in Boxers Route (from 2020)

March 6, 2021

Start at VFW Post 5202, 216 Miller Street, Waynesville, NC

Right onto Miller Street

Right onto Commerce Street

Right onto Depot Street

Left onto Brenner Avenue

Right onto Boundary Street

Right onto Walnut Street

Right onto N Main Street - S Main Street

Right onto S Haywood Street

Right onto Academy Street

Left onto S Main Street – N Main Street

Left onto Walnut Street

Left onto Brenner Avenue – N Haywood Street

Right onto Miller Street

Right into VFW Post 5202

RENEWAL DECLARATIONS (CONTINUED)

Businessowners Policy for VFW POST 5202
Policy Number 93-EP-T321-3

Property Of Others (applies only to those premises provided Coverage B - Business Personal Property)	\$2,500
Accounts Receivable (On Premises)	\$10,000
Accounts Receivable (Off Premises)	\$5,000
Outdoor Property	\$5,000
Valuable Papers and Records (On Premises)	\$10,000
Valuable Papers and Records (Off Premises)	\$5,000

SECTION I - EXTENSIONS OF COVERAGE - LIMIT OF INSURANCE - PER POLICY

The coverages and corresponding limits shown below are the most we will pay regardless of the number of described premises shown in these Declarations.

COVERAGE	LIMIT OF INSURANCE
Loss Of Income And Extra Expense	Actual Loss Sustained - 12 Months

SECTION II - LIABILITY

COVERAGE	LIMIT OF INSURANCE
Coverage L - Business Liability	\$1,000,000
Coverage M - Medical Expenses (Any One Person)	\$5,000
Damage To Premises Rented To You	\$300,000
AGGREGATE LIMITS	LIMIT OF INSURANCE
Products/Completed Operations Aggregate	\$2,000,000
General Aggregate	\$2,000,000

Each paid claim for Liability Coverage reduces the amount of insurance we provide during the applicable annual period. Please refer to Section II - Liability in the Coverage Form and any attached endorsements.

Prepared
OCT 12 2020
CMP-4000

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TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: February 22, 2022

SUBJECT: Recognition of recent promotions.

Retirement of K-9 Cairo (2010-2022 – 12 years of service)

AGENDA INFORMATION:

Agenda Location: Presentation
Item Number:
Department: Police
Contact: Chief David Adams
Presenter: **Chief David Adams**

BRIEF SUMMARY: Sgt. William “Billy” Benhart has been promoted to Lieutenant.
Officer Ryan Craig has been promoted to Sergeant.
Officer Derek Embler is the current Handler of Cairo.

MOTION FOR CONSIDERATION:

FUNDING SOURCE/IMPACT: (must have approval by Finance Director prior to submission to the Board)

Misty Hagood, Finance Director

Date

ATTACHMENTS:

MANAGER’S COMMENTS AND RECOMMENDATIONS:

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: February 22, 2022

SUBJECT: Call for a Public Hearing for March 22, 2022 to consider the Stormwater Ordinance Text Amendment, Section 12.5 of the Land Development Standards (LDS).

AGENDA INFORMATION:

Agenda Location: Public Hearing
Item Number:
Department: Development Services
Contact: Olga Grooman
Presenter: Olga Grooman

BRIEF SUMMARY:

The Town of Waynesville holds a 5-year National Pollutant Discharge Elimination System Permit (NPDES) issued by the NC Department of the Environmental Quality (NC DEQ) on August 19, 2021. The purpose of the NPDES permit is to manage stormwater runoff, reduce the discharge of pollutants, and protect water quality within the Town's jurisdiction.

One of the permit requirements is to "maintain adequate legal authorities through ordinance" (permit reference 3.6.2). The Town adopted a Stormwater Ordinance as a part of the original NPDES Permit which was issued in 2005. Since then, the State has updated regulatory guidance and standards for municipal stormwater management requirements. The proposed text amendments will align the Town's local stormwater ordinance with the Phase II NCDEQ Stormwater Model Ordinance for North Carolina, bringing the Town into conformance with NPDES permit requirements.

The suggested changes include:

- Definitions of stormwater map, watershed, stormwater control measures (SCMs)
- Addition of Natural Resources Inventory and Stormwater Management System Concept Plan
- Clarification of authority, penalties for violations, and remedies
- Explanation of record keeping
- Standards for SCMs based on the NC DEQ Design Manual
- Clarification of As-Builds standards for final stormwater inspection
- Additions to non-illicit discharges section

MOTIONS FOR CONSIDERATION:

1. Motion to call for a Public Hearing on March 22, 2022 to consider text amendments to the Stormwater Ordinance, LDS Section 12.5 as recommended by the Planning Board.

FUNDING SOURCE/IMPACT:

N/A

ATTACHMENTS:

Draft Ordinance

MANAGER'S COMMENTS AND RECOMMENDATIONS:

ORDINANCE NO. O-03-22

**AN ORDINANCE AMENDING THE TEXT OF THE
TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS**

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and

WHEREAS, the Town of Waynesville must comply with its National Pollutant Discharge Elimination System Permit issued by the North Carolina Department of Environmental Quality on August 19, 2021 and maintain legal authority to enforce the stormwater program through up-to-date ordinances.

WHEREAS, the Town of Waynesville Planning Board has reviewed the proposed text amendments to the Stormwater Ordinance 12.5 of the Land Development Standards (LDS) and recommends that they are consistent with the 2035 Comprehensive Plan and that they are reasonable and in the public interest because:

- The Town of Waynesville will continue to “promote smart growth in land use planning and zoning;” (Goal #1);
- It will “protect and enhance Waynesville’s natural resources,” (Goal #3);
- It will keep the Town in compliance with the NC DEQ permit requirements.

WHEREAS, the Planning Board has reviewed and recommends the proposed text amendments for enactment by the Board of Aldermen; and

WHEREAS, the Board of Aldermen find this Ordinance is consistent with the Town’s 2035 Comprehensive Plan and that it is reasonable and in the public interest to “make decisions about resources and land use in accordance with North Carolina General Statutes.” and

WHEREAS, after notice duly given, a public hearing was held on February 21, 2022 at the regularly scheduled meeting of the Waynesville Planning Board, and on ____, 2022 at the regularly scheduled meeting of the Board of Aldermen;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON _____ AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Land Development Standards be amended as follows:

1. Amend the section 12.5- Stormwater Management as follows:

~~12.5- Stormwater Management.~~ Stormwater Ordinance.

It is hereby determined that:

- This section shall be officially known as "the stormwater ordinance." It is referred to herein as "this section."
- Development and redevelopment alter (...)

2. Amend the fourth bullet point in section 12.5.1 Purpose as follows:

- Establish design and review criteria for the construction, function, and use of structural stormwater BMPs (also called stormwater control measures, or SCMs) that may be used to meet the minimum post-development stormwater management standards.

3. Amend the section 12.5.2 Applicability as follows:

~~C. Minimum Development Thresholds: The standards in this section shall apply to all new development projects and all redevelopment projects that cumulatively disturb one (1) acre or more, and to projects of less than one acre that are part of a larger common plan of development or sale, or that have a proposed increased impervious surface on completion of greater than 24,000 square feet provided that all new development directs stormwater runoff to landscaped areas and other pervious surfaces to the maximum possible extent as determined by the Administrator.~~

C. Minimum Development Thresholds: The standards of this section shall apply to all new development and redevelopment projects that:

- a) Cumulatively disturb one (1) acre or more.
- b) Projects of less than one acre and that are a part of a larger common plan of development or sale, even though multiple, separate, or distinct activities take place at different times on different schedules.
- c) Projects of less than one acre and that have a proposed increased impervious surface on completion of greater than 24,000 square feet.

All development and redevelopment shall direct stormwater runoff to landscaped areas and other pervious surfaces to the maximum extent possible. All built-upon areas shall be designed and located to minimize stormwater runoff impact to the receiving waters, minimize concentrated stormwater flow, maximize the use of sheet flow through vegetated areas, and maximize the flow length through vegetated areas.

D (...)

4. Add a bullet point to the end of section 12.5.3 Exemptions as follows:

The following development applications are exempt from the standards of this section:

- (...)
- Activities that are exempt from permit requirements of Section 404 of the Federal Clean Water Act as specified in 40 CFR 232 (primarily ongoing farming and forestry activities) are exempt from the provisions of this section.
- Redevelopment that results in no net increase in built-upon area and provides equal or greater stormwater control than the previous development is exempt from the provisions of this ordinance.

5. Amend the section 12.5.4 Administration as follows:

Delegation of Authority: Any act authorized by this ordinance shall be carried out by the Development Services Director and may be carried out by his or her designee as a Stormwater Administrator. For the purpose of this section, the Stormwater Administrator shall mean any Development Services employee designated in this function.

The Administrator shall have the following powers and duties under this section:

- Review, approve or disapprove (...)
- (...)
- Take necessary actions to administer the provisions of this section.

Map: The Stormwater Map shall be kept on file by the Development Services Department and shall be updated to take into account changes in the land area covered by this ordinance and the geographic location of all structural stormwater control measures permitted under this ordinance. In the event of a dispute, the applicability of this ordinance to a particular area of land shall be determined by reference to the North Carolina Statutes, the North Carolina Administrative Code, and local zoning and jurisdictional boundary ordinances.

Conformance to Stormwater Plans: The latest versions of the Town of Waynesville Stormwater Management Plan and Illicit Discharge Detection and Elimination Plan are herein incorporated by reference. Conformance to them is required in addition to the standards of this ordinance.

Conflict of Laws: This section is not intended to modify or repeal any other ordinance, rule, regulation, or other provision of law. The requirements of this section are in addition to the requirements of any other ordinance, rule, regulation, or other provision of law. Where any provision of this ordinance imposes restrictions different from those imposed by any other ordinance, rule, regulation or other provision of law, whichever provision is more restrictive or imposes higher protective standards for human or environmental health, safety, and welfare shall control.

Other Permits: No certificate of compliance or occupancy shall be issued by the Town of Waynesville Development Services without final as-built plans and a final inspection and approval by the Stormwater Administrator, except where multiple units are served by the stormwater practice or facilities, in which case the Development Services may elect to withhold a percentage of permits or certificates of occupancy until as-built plans are submitted and final inspection and approval have occurred.

6. Amend the section 12.5.6 Design Manual as follows:

12.5.6 Design Manual.

~~A. The Town of Waynesville shall utilize the latest edition of the North Carolina Department of Environment and Natural Resources (DENR) Division of Water Quality (DWQ) Stormwater Best Management Practices Design Manual as the Stormwater Design Manual.~~

A. **Reference to Design Manual:** The Town of Waynesville shall use the policy, criteria, and information, including technical specifications and standards, in the *North Carolina Department of Environmental Quality (NC DEQ) Stormwater Design Manual* as the basis for decisions about stormwater plans and about the design, implementation, and performance of structural and non-structural stormwater control measures.

The Design Manual includes a list of acceptable stormwater treatment practices, including specific design criteria for each stormwater practice. Stormwater treatment practices that are designed, constructed, and maintained in accordance with these design and sizing criteria will be presumed to meet the minimum water quality performance standards of the Phase II and other applicable stormwater laws.

B. **Right to Consult:** Stormwater management practices that are designed, constructed, or maintained (...)

C. **Relationship of Design Manual to Other Laws and Regulations:** If the specifications or guidelines of the Design Manual are more restrictive or apply a higher standard than other laws or regulations, that fact shall not prevent application of the specifications or guidelines in the Design Manual.

D. **Changes to Standards and Specifications.** If the standards, specifications, guidelines, policies, criteria, or other information in the Design Manual are amended subsequent to the submittal of an application for approval pursuant to this ordinance but prior to approval, then Section 15.16.1-Permit Choice will apply.

7. Amend the section 12.5.7 Standards as follows:

A. General Requirements:

~~1. A stormwater drainage and management plan and a permit shall be required with all development applications to which this section applies.~~ A Stormwater Management System Concept Plan is required for all development and redevelopment projects to which this section applies. This plan shall be prepared (...).

(...)

B. Water Quality Design Requirements:

(...)

C. Standards for Stormwater Control Measures:

Owners of property subject to this ordinance and required to install structural stormwater control measures shall implement those measures in compliance with each of the following standards:

~~6.~~ 1. All structural stormwater ~~management~~ control measures shall control and treat the runoff from the 1-year 1-hour storm event as determined by NOAA data for the Town of Waynesville.

~~7.~~ 2. (...)

~~8.~~ 3.

~~9.~~ 4.

~~10.~~ 5.

~~11.~~ 6.

~~12.~~ 7.

~~13.~~ For areas of redevelopment, the following shall apply:

- ~~_____ a. provide a 20% reduction in impervious surface area; or~~
- ~~_____ b. provide water quality measures for 20% of the impervious area; or~~
- ~~_____ c. provide a combination of impervious area reduction and water quality measures equivalent to a 20% reduction in impervious surface area; and~~
- ~~_____ d. provide water quality for any increase in impervious surface area.~~

~~13.~~ 8. All stormwater control measures and stormwater treatment practices required under this ordinance shall be evaluated by the Stormwater Administrator according to the policies, criteria, and information, including technical specifications, standards, and the specific design criteria for each stormwater practice, in the Design Manual. The Stormwater Administrator shall determine whether proposed SCMs/BMPs will be adequate to meet the requirements of this ordinance.

~~C.~~ D. Water Quantity Design Requirements:

(...)

~~D.~~ E. Stormwater Conveyance Systems Design Requirements:

(...)

~~E.~~ F. Uniform Watershed Analysis:

(...)

8. Amend the section 12.5.9 Illicit Discharges and Connections as follows:

A. Illicit Discharges: No person shall cause or allow the discharge, emission, disposal, pouring, or pumping directly or indirectly to any stormwater conveyance, the waters of the State, or upon the land in manner or amount that the substance is likely to reach a stormwater conveyance or the waters of the State unless permitted by an NPDES permit. **Prohibited instances include but are not limited to: anti-freeze, chemicals,**

animal waste, paints, garbage, and litter. However, non-stormwater discharges associated with the following activities are allowed provided that they do not significantly impact water quality:

- ~~Filter backwash and draining associated with swimming pools.~~ Dechlorinated swimming pool discharges.
- Landscape irrigation and lawn watering.
- Springs, diverted stream flows, rising ground waters, and flows from riparian habitats and wetlands.
- Filter backwash and draining associated with raw water intake screening and (...)
- (...)
- ~~Prohibited instances include but are not limited to: anti-freeze, chemicals, animal waste, paints, garbage, and litter.~~

9. Amend the section 12.5.11 Inspections as follows:

C. Annual Maintenance Inspections and Report: (...) The person responsible for maintenance of any structural BMP installed pursuant to this section shall submit to the Stormwater Administrator an inspection report from one of the following persons performing services only in the area of competence: a qualified registered North Carolina professional engineer, landscape architect, **soil scientist, aquatic biologist**, or person certified by the North Carolina Cooperative Extension Service for stormwater treatment (...).

D. Records of Installation and Maintenance Activities: The owner of each structural BMP shall keep records of inspections, maintenance, and repairs for at least five years from the date of creation of the record and shall submit the same upon reasonable request to the Stormwater Administrator.

E. Nuisance: The owner of each stormwater BMP, whether structural or non-structural BMP, shall maintain it so as not to create or result in a nuisance condition.

10. Add the section 12.5.13 Additional Standards for Special Situations as follows:

12.5.13 Additional Standards for Special Situations.

A. Trout Waters: In addition to the standards for handling stormwater set out in the Design Manual, development and redevelopment that drains in whole or part to class TR waters shall design and implement the best stormwater practices that do not result in a sustained increase in receiving water temperature, while still meeting the other requirements of this ordinance.

B. Pet Waste: Pet waste can pollute rivers, streams, and lakes. Stormwater runoff carries pet waste into drainage ditches and storm drains where it is then dumped, untreated, into the nearest waterway. Dog waste contains bacteria, viruses, and parasites that can harm humans and affect water quality. Once in a waterway, pet waste can travel long distances and pollute a large area. Therefore:

- It shall be unlawful for the owner or custodian of any dog to take it off the owner's own property limits without the means to properly remove and dispose of the dog's feces from any public or private property.
- It is the responsibility of a dog's owner or custodian to clean up the dog's feces from any public or private property outside of the dog's owner's own property limits. Such property includes, but is not limited to, parks, rights-of-way, paths, and public access areas.

- “Means to properly remove and dispose of feces” shall consist of having on or near one’s person a device such as a plastic bag, or other suitable plastic or paper container, that can be used to clean up and contain dog waste until it can be disposed of in an appropriate container.
- This provision shall not apply to handicapped persons assisted by trained guide or assistance dogs.

11. Add the section 12.5.14 Interpretation as follows:

12.5.14 Interpretation.

- A. **Meaning and Intent:** All provisions, terms, phrases, and expressions contained in this ordinance shall be construed according to the general and specific purposes set forth in section 12.5.1, Purpose. If a different or more specific meaning is given for a term defined elsewhere in the Town of Waynesville Code of Ordinances, the meaning and application of the term in this ordinance shall control for purposes of application of this ordinance.
- B. **Text Controls in Event of Conflict:** In the event of a conflict or inconsistency between the text of this ordinance and any heading, caption, figure, illustration, table, or map, the text shall control.
- C. **Authority for Interpretation:** The Stormwater Administrator or a Development Services employee designated to carry out the duties of a Stormwater Administrator has authority to determine the interpretation of this ordinance. Any person may request an interpretation by submitting a written request to the Stormwater Administrator, who shall respond in writing within 30 days. The stormwater administrator shall keep on file a record of all written interpretations of this ordinance.
- D. **References to Statutes, Regulations, and Documents:** Whenever reference is made to a resolution, ordinance, statute, regulation, manual (including the Design Manual), or document, it shall be construed as a reference to the most recent edition of such that has been finalized and published with due provision for notice and comment, unless otherwise specifically stated.
- E. **Computation of Time:** The time in which an act is to be done shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, or holiday observed by the Town of Waynesville, the deadline or required date of action shall be the next day that is not a Saturday, Sunday or holiday observed by the Town of Waynesville. References to days are calendar days unless otherwise stated.

12. Amend the section 15.4.1 Environmental Survey as follows:

15.4.1 Environmental Survey.

An environmental survey is intended to identify natural features, environmentally sensitive areas, and endangered species, forest stands, ~~or trees of a uniform size and species; specimen trees of varying sizes and species, particularly free standing or open grown or field grown trees; a distinctive tree line or forest edge;~~ existing watercourses and previously documented endangered species habitats. Identification of existing trees, understory vegetation, wetlands, perennial streams, floodplains, and topographical features on a site prior to the advanced preparation of development plans enables the reasonable and practical planned preservation of existing and environmentally sensitive areas. ~~This requirement provides the Town and the applicant the ability to evaluate the proposed development in order to preserve vegetation, to improve the appearance of the development proposed and to encourage the use of the existing forest and~~

~~tree canopy, specimen trees, and significant vegetation to satisfy the requirements of this Ordinance.~~ It is the ~~expectation requirement~~ that readily available spatial data, including GIS information, floodplain and floodway designation, wetlands delineation, and topography be provided in addition to identified natural features. ~~will be sufficient for the survey~~

Environmental Survey **must** include **Natural Resources Inventory**, which is:

A written or graphic inventory of natural resources at the site and surrounding area as it exists prior to the commencement of the project. This description must include a discussion of soil conditions and soil types, forest cover, geologic features, topography, delineated wetlands, perennial and intermittent streams, native vegetative areas on the site, boundaries of existing predominant vegetation, as well as the location and boundaries of other natural feature protection and conservation areas such as lakes, ponds, floodplains, stream buffers and other setbacks (e.g., drinking water well setbacks, septic setbacks, etc.). Particular attention should be paid to environmentally sensitive features that provide particular opportunities or constraints for development and stormwater management.

13. Amend the section 15.4.4 Construction Documents/Preliminary Plat as follows:

(...) All streets, utilities, and stormwater, and other infrastructure systems shall be designed and constructed in accordance with the adopted Manual of Specifications.

If a project falls under the Town of Waynesville Stormwater Ordinance, the **Stormwater Management System Concept Plan** is required. The Plan can be a written or graphic concept plan of the proposed post-development stormwater management system including: preliminary selection and location of proposed structural stormwater controls; low-impact design elements; location of existing and proposed conveyance systems such as grass channels, swales, and storm drains; flow paths; location of floodplain/floodway limits; relationship of site to upstream and downstream properties and drainages; and preliminary location of any proposed stream channel modifications, such as bridge or culvert crossings.

14. Amend the section 15.7.3 Stormwater Permits as follows:

To ~~insure~~ ensure that development in the town does not result in increased stormwater runoff which adversely impacts adjacent property, no development to which this ordinance applies, shall be commenced without the issuance of a Stormwater Permit ~~by the Administrator~~, which is a part of the building permit, unless specified otherwise by the Administrator.

(...)

C. Required Application Information: Environmental Survey, which **must** include **Natural Resources Inventory** (15.4.1), and Construction Documents **that must include Stormwater Management System Concept Plan** (15.4.4) (may be waived by Administrator as appropriate).

D. Determination of Conformity: If the Stormwater Administrator finds that the application complies with the standards of this ordinance, the Administrator shall approve the application. The Administrator may impose conditions of approval as needed to ensure compliance with ~~this section~~ the **Stormwater Ordinance and this section**. The conditions shall be included as part of the approval. If the Administrator finds that the application fails to comply with the standards of this section, the Administrator shall notify the applicant in writing, and shall indicate how the application fails to comply. The applicant shall have an opportunity to submit a revised application. A complete revised application shall be reviewed by the

Administrator after its re-submittal and shall be approved, approved with conditions, or disapproved. If a revised application is not re-submitted within thirty (30) calendar days from the date the applicant was notified, the application shall be considered withdrawn, and a new submittal for the same or substantially the same project shall be required. ~~along with the appropriate fee for a new submittal. One re-submittal of a revised application may be submitted without payment of an additional permit review fee. Any re-submittal after the first re-submittal shall be accompanied by a permit review fee additional fee, as established pursuant to this section.~~

E. As-Built Plans and Final Approval: Upon completion of a project and before a certificate of occupancy is granted, the applicant shall certify that the completed project is in accordance with the approved stormwater management plans and designs and shall submit actual “as built” plans for all stormwater management facilities or practices after final construction is completed. The plans shall show the final design specifications for all stormwater management facilities and practices and the field location, size, depth, and planted vegetation of all measures, controls, and devices, as installed. The designer of the stormwater management measures and plans shall certify, under seal, that the as-built stormwater measures, controls, and devices are in compliance with the approved stormwater management plans and designs and with the requirements of this ordinance. A final inspection and approval by the Stormwater Administrator shall occur before the release of any performance securities.

F. Public Notification: (...)

G. Appeals: (...)

H. Permit Validity: (...)

I. Permit Extension: (...)

15. Amend the section 16.2.2 Civil Penalties as follows:

C. Enforcement and Violations of the Stormwater Ordinance.

The following remedies and penalties provided for violations of the Chapter 12.5- Stormwater Ordinance, shall be cumulative and in addition to any other remedy provided by law, Town Ordinance, and may be exercised in any order.

1. Authority to enforce. The provisions of the Stormwater Ordinance shall be enforced by the Stormwater Administrator, his or her designee, or any authorized agent of the Town. Whenever this section refers to the Stormwater Administrator, it includes his or her designee as well as any authorized agent of the Town.

2. Violation unlawful. Any failure to comply with applicable requirements, prohibitions, standards, or limitations imposed by the Stormwater Ordinance, or the terms or conditions of any permit, maintenance agreement, or other development or redevelopment approval or authorization granted pursuant to this ordinance, is unlawful and shall constitute a violation of this ordinance and is subject to a civil penalty of not more than \$500 per day. Each day that a violation continues shall constitute a separate and distinct violation or offense.

3. Responsible persons/entities. Any person who erects, constructs, reconstructs, alters (whether actively or passively), or fails to erect, construct, reconstruct, alter, repair, or maintain any structure, BMP, practice, or condition in violation of the ordinance shall be subject to the remedies, penalties, and/or enforcement actions in accordance with this section. Persons subject to the remedies and penalties set forth herein may

include any architect, engineer, builder, contractor, developer, agency, or any other person who participates in, assists, directs, creates, causes, or maintains a condition that results in or constitutes a violation of this ordinance, or fails to take an appropriate action, so that a violation of this ordinance results or persists; or an owner, any tenant or occupant, or any other person, who has control over, or responsibility for, the use or development of the property on which the violation occurs.

For the purposes of this article, responsible person(s) shall include but not be limited to: Person maintaining condition resulting in or constituting a violation. An architect, engineer, builder, contractor, developer, agency, the owner of the land on which a violation occurs, any tenant or occupant of the property, any person responsible for stormwater controls pursuant to a private or public document, or any other person who participates in, assists, directs, creates, causes, or maintains a condition that constitutes a violation of this ordinance, or fails to take an appropriate action, so that a violation of this ordinance results or persists.

4. Notice of Violation and Order to Correct. When the Stormwater Administrator finds that any building, structure, or land is in violation of the ordinance, the Stormwater Administrator shall notify, in writing, the property owner or other person violating the ordinance. The notification shall indicate the nature of the violation, contain the address or other description of the site upon which the violation is occurring, order the necessary action to abate the violation, and give a deadline for correcting the violation.

The Stormwater Administrator may deliver the notice of violation and correction order personally, by the law enforcement, or by certified or registered mail, return receipt requested.

A person who receives a notice of violation and correction order, or the owner of the land on which the violation occurs, may submit to the Stormwater Administrator a written request for an extension of time for correction of the violation.

5. Withholding of Certificate of Occupancy. The Stormwater Administrator or other authorized agent may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site and served by the stormwater practices in question until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described therein.

6. Disapproval of subsequent permits and development approval. As long as a violation of the ordinance continues and remains uncorrected, the Stormwater Administrator or other authorized agent may withhold, and the approving body may disapprove, any request for permit or development approval or authorization provided for by this ordinance or the zoning, and/or subdivision regulations, as appropriate for the land on which the violation occurs.

7. Injunction, abatements, etc. The stormwater administrator may institute an action in a court of competent jurisdiction for a mandatory or prohibitory injunction and order of abatement to correct a violation of the ordinance. Any person violating the ordinance shall be subject to the full range of equitable remedies provided in the General Statutes or at common law.

8. Correction as public health nuisance, costs as lien, etc.: If the violation is deemed dangerous to the public health or public safety and is within the geographic limits prescribed by G.S. 160D, the Stormwater Administrator may cause the action to be corrected and the costs to be assessed as a lien against the property.

16. Add the following definition to the section 17.4 Definitions, General as follows:

Stormwater Control Measure (SCM). A permanent structural device that is designed, constructed, and maintained to remove pollutants from stormwater runoff by promoting settling or filtration; or to mimic the natural hydrologic cycle by promoting infiltration, evapotranspiration, post-filtration discharge, reuse of stormwater or a combination thereof.

Watershed. The entire land area contributing surface drainage to a specific point (e.g., the water supply intake) or alternatively, the geographic region within which water drains to a particular river, stream or body of water.

17. Add the following definition to the section 17.5 Definitions, Floodplain Damage Prevention as follows:

Watershed. The entire land area contributing surface drainage to a specific point (e.g., the water supply intake) or alternatively, the geographic region within which water drains to a particular river, stream or body of water.

ADOPTED this _____ Day of _____, 2022.

TOWN OF WAYNESVILLE

J. Gary Caldwell, Mayor

ATTEST:

Eddie Ward, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: February 22, 2022

SUBJECT: Calls for Public Hearings for March 22, 2022 to consider the following Text Amendments in the Land Development Standards (LDS):

1. Multiple text amendments to provide additional clarifications and definitions related to 160D and minor corrections; and
2. Revisions to LDS Section 6.19 Transportation Impact Analysis.

AGENDA INFORMATION:

Agenda Location: Public Hearing
Item Number:
Department: Development Services
Contact: Olga Grooman and Elizabeth Teague
Presenter: Elizabeth Teague

BRIEF SUMMARY:

Last year, the Town completed substantial updates to the Land Development Standards in order to comply with changes in the NC General Statutes guiding local land use regulations, referred to as “160D.” Since then, additional typographical errors and incorrect and outdated information in the LDS have been discovered which still need to be corrected. Additionally, the Planning Board’s wished to clarify common terms and application requirements as a result of procedural changes by 160D. The Planning Board also recommends a decrease in traffic threshold for when a traffic impact analysis is required and other text amendments pertaining to traffic studies associated with new development.

The first text amendment includes definitions of plat, preliminary plat, final plat, and master plan; clarification of the requirements for a preliminary plat and construction documents; amendment of references with relevant provisions from 160D; and the elimination of grammatical errors and outdated information/terms. The second relates specifically to Section 6.10 Transportation Impact Analysis.

MOTIONS FOR CONSIDERATION:

1. Motion to call for two Public Hearings on March 22, 2022 to consider the text amendments related to (first) 160D clarifications and (secondly) Transportation Impact Analysis.

FUNDING SOURCE/IMPACT:

N/A

ATTACHMENTS:

Draft Ordinances.

MANAGER’S COMMENTS AND RECOMMENDATIONS:

ORDINANCE NO. O-05-22

**AN ORDINANCE AMENDING THE TEXT OF THE
TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS**

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and

WHEREAS, the Town of Waynesville Planning Board has reviewed the proposed text amendments to the Land Development Standards (LDS) and recommends that they are consistent with the 2035 Comprehensive Plan and that they are reasonable and in the public interest because:

- The Town of Waynesville will continue to “promote smart growth in land use planning and zoning;” (Goal #1);
- The Town will maintain adequate legal authority through the most up-to-date ordinance.

WHEREAS, the Planning Board has reviewed and recommends the proposed text amendments for enactment by the Board of Aldermen; and

WHEREAS, the Board of Aldermen find this Ordinance is consistent with the Town’s 2035 Comprehensive Plan and that it is reasonable and in the public interest to “make decisions about resources and land use in accordance with North Carolina General Statutes.” and

WHEREAS, after notice duly given, a public hearing was held on February 21, 2022 at the regularly scheduled meeting of the Waynesville Planning Board, and on ____, 2022 at the regularly scheduled meeting of the Board of Aldermen;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON _____ AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Land Development Standards be amended as follows:

1. Amend Section 1.5 Consistency with All Adopted Plans as follows:

In accordance with G.S. 160D, all development plans shall be in conformance with all adopted plans (including comprehensive plans, transportation plans, small area plans, open space and greenway plans, or any other plan adopted by the Waynesville Board of ~~Commissioners Aldermen~~).

2. Amend Section 1.7.1 Violations Continue as follows:

(...) construction or other activity is clearly consistent with the express terms of this ordinance. ~~bl~~

3. Amend Section 1.10 Effective Date as follows:

Many provisions herein are a restatement of previous provisions of the Land Development Standards and are hereby continued without interruption. All other provisions of this ordinance ~~shall become~~ became effective April 12, 2011, and subsequently, including provisions of 160D, as adopted June 22, 2021.

4. Amend Section 2.2 Districts by District Type as follows:

The following ~~34~~ 30 base districts are organized into categories (...).

5. Amend Section 2.6 Overlay Districts as follows:

A. **Purpose:** The Historic Overlay District (HOD) is a zoning overlay district established pursuant to NCGS § ~~160A-400~~ 160D-940 (...).

6. Amend Section 2.7.1 Standards for Conditional Districts as follows:

In addition to modification of specific district provisions (...).

7. Replace Section 6.2.2 Required Conformance to the Waynesville Specifications Manual as follows:

~~6.2.2 Required Conformance to the Waynesville Specifications Manual.~~

~~The Town of Waynesville Specifications Manual (WSM) is herein incorporated by reference. Conformance to the WSM is required in addition to the standards of this Ordinance.~~

6.2.2 Required Conformance to the Specifications of the Town's Public Services Department.

The specifications of the Town's Public Services Department are herein incorporated by reference. Conformance to them is required in addition to the standards of this Ordinance.

8. Amend Section 6.4.1 Street Network as follows:

E. Street Stubs:

(...)

4. **Stub Street Details:** (...) ~~See WSM for sign specifications.~~

9. Amend Section 6.7.6 Curb Radii and Construction as follows:

C. Minimum Specifications: All curbed streets shall be built in accordance with the ~~Town of Waynesville Specifications Manual~~ specifications of the Town's Public Services Department.

10. Amend Section 6.7.7 Pavement Standards as follows:

A. Minimum Specifications: All street types, except alleys, shall be paved to meet the ~~current specifications of the Town of Waynesville Specifications Manual~~ specifications of the Town's Public Services Department.

B. (...)

C. Alleys: (...) However, when alleys are proposed to be paved, the pavement shall meet the ~~specifications of the Town of Waynesville Specifications Manual~~ specifications of the Town's Public Services Department.

11. Amend Section 6.7.8 Utilities as follows:

A. Minimum Specifications: All utility installations within rights-of-way shall be consistent with the ~~Town of Waynesville Specifications Manual and Section 6.12 of this Chapter~~ specifications of the Town's Public Services Department and Section 6.11 of this Chapter.

12. Amend Section 6.8.1 Sidewalks as follows:

B. Design Standards:

(...)

3. Sidewalks shall be constructed of concrete or other approved materials (such as pavers) and built in accordance with the ~~Town of Waynesville Specifications Manual~~ specifications of the Town's Public Services Department.

13. Amend Section 6.11.4 Sanitary Sewer Systems as follows:

D. Public Sewer Systems:

1. Where connection is proposed (...), the proposed system shall be installed according to ~~town specifications and standards~~ the specifications of the Town's Public Services Department and designed by a registered engineer.

14. Amend Section 14.4 Board of Adjustment as follows:

14.4.2 Membership and Quorum.

B. The Board shall not pass upon any question relating to an appeal from a decision, order, requirement or determination of town officials or an application for a variance ~~or special-use permit~~ when there are less than four-fifths ($\frac{4}{5}$) of the board members with jurisdictional authority present.

15. Amend four (4) cells of the table in Section 15.2.3 Permit/Process Type as follows:

15.2.3 Permit/Process Type

Permit/ Process Type	Section	Permit/Process Type	Reviewing Agency	Public Notification (15.3)	Approving Agency	Appeal Process	Permit Period	Permit Extension
Special Use Permit	15.10	Quasi-Judicial	Planning Board	1, 2, 3 , 5	Planning Board	Superior Court	2 years	Up to 3 years max.*
Designation of Historic Landmarks/Districts	15.11.1	Legislative	HPC	1,2,3	Board of Aldermen	Superior Court	n/a	n/a
Certificate of Appropriateness (Minor)	15.11.2	Administrative	Admin.	None	Admin.	HPC	12 months	Re-submit
Certificate of Appropriateness (Major)	15.11.3	Quasi-Judicial	Admin.	1, 2, 3 , 4	HPC	BOA	12 months	Re-submit
Appeal of Administrative Decision	15.12	Quasi-Judicial	BOA	1, 3 , 4	BOA	Superior Court	30 days to Appeal	n/a
Text Amendment	15.14	Legislative	Planning Board	1,2,3, 4	Board of Aldermen	Superior Court	n/a	n/a
Variance	15.13	Quasi-Judicial	BOA	1, 3 , 4	BOA	Superior Court	30 days to Appeal	n/a

(Table continues)

16. Amend two (2) cells of the table in Section 15.4 Application Requirements as follows:

15.2.3 Permit/Process Type

Permit/ Process Type	Section	Environmental Survey (15.4.1)	Sketch Plan (15.4.2)	Master Plan (15.4.3)	Construction Documents (15.4.4)	Preliminary Plat (15.4.4)	As-Build Drawings (15.4.5)	Final Plat (15.4.6)	Building Elevations (15.4.7)
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(Table continues)

Site Plan/Design Review (Major)	15.8.2	X		X	X				X(a)
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(Table continues)

Subdivision (Major)- Preliminary Plat	15.9.3	X		X		X			
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(Table continues below)

17. Add Section 15.2.5 Administrative Modifications and Substantial Changes as follows:

15.2.5 Administrative Modifications and Substantial Changes

- A. **General.** The Administrator can approve administrative minor modifications for conditional districts (160D-703(b)), special use permits (160D-705(c)), and administrative development approvals (160D-403(d)).
- B. **Minor Modification:** A minor administrative modification is a non-substantial change to the approved plan that may include but is not limited to: relocation of a bus stop, moving landscaping around, reduction in the number of parking spaces, reduction in the number of units/lots, building elevation changes, increasing vegetative buffer or the number of trees, etc.
- C. **Unique Property Attributes.** A minor modification may also be allowed to provide relief from a unique physical attribute of the property not known at the time of initial approval. The applicant will need to provide evidence of why relief is needed.
- D. **Substantial Changes.** Any substantial change to a Master Plan or Plat as noted below shall be reviewed by the Planning Board and approved or denied by the Board of Aldermen:
 - An increase in impervious surface.
 - A change in land use or development type beyond that permitted by the approved Master Plan or Plat.
 - The introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access.
 - Change in density: when there is an increase in the total number of residential dwelling units originally authorized by the approved Master Plan or Plat.
 - An increase of the total floor area of a commercial or industrial classification by more than 10 percent beyond the total floor area last approved by Board of Aldermen.
 - Any decrease in the setbacks greater than 10% from the originally approved Master Plan or Plat.

- E. **Variance.** Minor and major modifications require the project to stay in compliance with the Land Development Standards and any other applicable laws. Some modifications may require a variance procedure as found in Section 15.13 Variances.

18. Amend Section 15.3.7 Neighborhood Meeting as follows:

A **Neighborhood meeting** is mandatory for development projects of 8 or more lots/units or where required prior to any public hearing or review by a board or commission. This meeting will allow the applicant to explain the proposed project and to be informed of the concerns of the neighborhood. **When an applicant is required to conduct a neighborhood meeting**, a summary of the meeting in the form of meeting notes or minutes along with a list and contact information for all attendees shall be submitted to the ~~board or commission~~ **Planning Board** for their review.

19. Amend Section 15.4 Application Requirements as follows:

Application Requirements.

(...) ~~The Administrator will prepare and disseminate appropriate checklists for use by applicants in their submission. These checklists are part of the Waynesville Specifications Manual and are made a part of this ordinance by reference.~~ The Administrator shall determine the requirements of the building permits.

20 Amend Section 15.4.2 Sketch Plan as follows:

(...) All plans shall be submitted at a scale not less than 1 inch = 50 feet, **and in digital and paper format (for Site Plans) or 1 inch = 200 feet (for Subdivisions)** unless otherwise authorized by the Administrator.

21. Amend Section 15.4.3 Master Plan Requirements as follows:

The Master plan for a minor or major site plan review is intended (...) All plans shall be submitted at a scale not less than 1 inch = 50 feet, **and in digital and paper format (for Site Plans) or 1 inch = 200 feet (for Subdivisions)** unless otherwise authorized by the Administrator.

22. Amend Section 15.4.4 Construction Documents/Preliminary Plat as follows:

~~The Construction Documents: for Site Plans and Subdivision Plans shall constitute a full a complete set of engineered drawings necessary for final permitting and construction. All plans shall be submitted at a scale not less than 1 inch = 50 feet unless otherwise authorized by the Administrator. All streets, utilities, and stormwater, and other infrastructure systems shall be designed and constructed in accordance with the adopted Manual of Specifications.~~

Construction Documents: A full and complete set of engineered drawings is necessary for a building permit and construction. All streets, utilities, and stormwater, and other infrastructure systems shall be designed and constructed in accordance with the specifications of the Town's Public Services Department. Construction documents shall be submitted at a scale not less than 1 inch = 50 feet, unless otherwise authorized by the Administrator.

Preliminary Plat: The preliminary plat for a subdivision that shall be prepared by a registered surveyor or engineer and shall show the following:

1. The location of existing and platted property lines, streets, buildings, watercourses, railroads, transmission lines, sewers, bridges, culverts, and drainpipes, water mains, city limit lines, and any public utility easements.
2. Boundaries of tract shown with bearings, distances, and closures.
3. Wooded areas, wetlands, and any other physical conditions within the site.
4. Boundary of floodplain, floodway within the site as provided in the most current FIRM.
5. The location (layout) of any proposed streets, rights-of-way, pavement widths, and approximate grades, sidewalks, greenways, or trails within the subdivision.
6. The location (layout) of proposed utilities (sewer, water, gas, electricity), showing connections to existing systems or location plans for individual water supply, sewage disposal, storm drainage, location of proposed hydrants, and the like.
7. Proposed lot lines, lot and block number, approximate dimensions, and acreage for each lot.
8. Proposed location and acreage of civic space and open areas, if required.
9. Proposed location and acreage of designated stormwater management areas if required.
10. Proposed minimum building setback lines.
11. Title, date, north point, and graphic scale.
12. Name of owner, surveyor/engineer.
13. Total number of lots.
14. Sketch vicinity map showing relationship between subdivision and surrounding area.

A preliminary plat shall be submitted at a scale not less than 1 inch = 200 feet, unless otherwise authorized by the Administrator.

23. Amend Section 15.4.6 Final Plat as follows:

(...) The final plat shall constitute an accurate survey of the entire phase as shown on the approved ~~master plan~~ preliminary plat and shall include all the relevant notes and certifications.

24. Amend Section 15.5 General Requirements for Evidentiary Hearings and Quasi-Judicial Decisions as follows:

(...) In accordance with G.S. 160D-1-2, -1402, decisions ~~on the approval of site plans and subdivisions and~~ are quasi-judicial in nature if the ordinance authorizes a decision-making board to approve or deny the application based not only upon whether the application complies with (...).

25. Amend Section 15.8.2 Site Plan/Design Review (Major) as follows:

D. Required Application Information: Environmental Survey (15.4.1), Master Plan (15.4.3), and Building Elevations ~~for Design Review~~ (15.4.7) (may be waived by Administrator as appropriate)-Construction Documents (...).

26. Amend Section 15.9.4 Final Plat for Major Subdivision as follows:

B. Improvements to Be Installed or Guaranteed: All required infrastructure improvements shall be either installed or financially guaranteed in accordance with Section ~~6.13~~ 6.12.

27. Amend Section 15.15.3 Effect of Approval/Changes as follows:

15.15.3 Effect of Approval/Changes.

~~The applicant may proceed with development only after approval of the Conditional District Master Plan by Board of Aldermen, followed by approval of any necessary Site Plans or Subdivision Plats, except that all subsequent approvals shall be completed by the Administrator. The development and use of all land within the Conditional District shall be in keeping with the approved Master Plan and all applicable provisions therein.~~

~~**A. Final Approval by Stages:** If so reflected on the Master Plan, the Board of Commissioners may allow the staging of final development. Each phase of development shall adhere to all applicable provisions and standards of this section and the applicable CD Master Plan.~~

~~**B. Substantial Changes:** Any substantial change to a Master Plan as noted below shall be reviewed by the Planning Board and approved or denied by the Board of Aldermen as an amended Conditional District. The following changes to a CD Master Plan shall require approval by the Board of Aldermen:~~

- ~~1. Land area being added or removed from the Conditional District.~~
- ~~2. Modification of special performance criteria, design standards, or other requirements specified by the enacting ordinance.~~
- ~~3. A change in land use or development type beyond that permitted by the approved Master Plan.~~
- ~~4. When there is introduction of a new vehicular access point to an existing street, road or thoroughfare not previously designated for access.~~
- ~~5. When there is an increase in the total number of residential dwelling units originally authorized by the approved Master Plan.~~
- ~~6. When the total floor area of a commercial or industrial classification is increased more than 10 percent beyond the total floor area last approved by Board of Aldermen.~~

~~**C. Additional Changes:** All other changes to a CD Master Plan shall receive approval by the Planning Board. However, if in the judgment of the Planning Board, the requested changes alter the basic development concept of the CD, the Planning Board may require concurrent approval by the Board of Aldermen.~~

~~A. For modifications to an approved Master Plan see Section 15.2.5~~

~~**B. Rescission of Conditional Districts:** The Applicant shall secure a valid building or construction permit(s) within two (2) years from date of approval of the Conditional District unless (...).~~

28. Amend Section 17.4 Definitions, General as follows:

Master Plan. A map or plan showing the layout and specifications of a site which is presented for approval. It is prepared by a licensed engineer, registered land surveyor, or licensed landscape architect. A Master Plan shall ensure compliance with all development standards as specified for the zoning district as well as all other Town development requirements.

Plat. A plat means and includes the terms: survey, plan, map or replat; and means a survey or plan of a parcel of land for recordation or for development, redevelopment, or subdivision review.

Plat, Final. The final map of all or a portion of a subdivision or development which is presented for final approval. It is prepared by a licensed engineer, registered land surveyor, or licensed landscape architect. A Final Plat demonstrates compliance with development standards, rights-of-way, and other Town requirements necessary of recordation with Haywood County Land Records.

Plat, Preliminary. A map indicating the proposed layout of a development and related information that is submitted for preliminary review. It is prepared by a licensed engineer, registered land surveyor, or licensed landscape architect. A Preliminary Plat shall ensure compliance with all development standards as specified for the zoning district as well as all other Town development requirements.

ADOPTED this _____ Day of _____, 2022.

TOWN OF WAYNESVILLE

J. Gary Caldwell, Mayor

ATTEST:

Eddie Ward, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney

ORDINANCE NO. O-04-22

AN ORDINANCE AMENDING THE TEXT OF THE TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and

WHEREAS, the Town of Waynesville Planning Board has reviewed the proposed text amendments to the Land Development Standards (LDS) and recommends that they are consistent with the 2035 Comprehensive Plan and that they are reasonable and in the public interest because:

- The Town of Waynesville will continue to “promote smart growth in land use planning and zoning;” (Goal #1);
- The Town will maintain adequate legal authority through the most up-to-date ordinance.

WHEREAS, the Planning Board has reviewed and recommends the proposed text amendments for enactment by the Board of Aldermen; and

WHEREAS, the Board of Aldermen find this Ordinance is consistent with the Town’s 2035 Comprehensive Plan and that it is reasonable and in the public interest to “make decisions about resources and land use in accordance with North Carolina General Statutes.” and

WHEREAS, after notice duly given, a public hearing was held on ____, 2022 at the regularly scheduled meeting of the Waynesville Planning Board, and on ____, 2022 at the regularly scheduled meeting of the Board of Aldermen;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON _____ AND WITH A MAJORITY OF THE BOARD MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING *(amendments provided in red and blue text)*:

1. Amend Land Development Standards Section 6.10 – 6.10.3 Transportation Impact Analysis as follows:

I. 6.10 Transportation Impact Analysis.

A Transportation Impact Analysis (TIA) is a specialized study that evaluates the effects and impacts of a development’s traffic on the surrounding transportation infrastructure. It is an essential part of the development review process to assist developers and governmental agencies in making land use decisions involving annexations, subdivisions, rezonings, special land uses, and other development reviews. The TIA helps identify where developments may have a significant impact on safety, traffic, ~~roadway transportation~~ operations, and provides a means for the developer and governmental agencies to mitigate these impacts. *The TIA should address issues such as transportation network safety, operation, access management, and bicycle/pedestrian facilities.* Ultimately the TIA can be used to evaluate whether the scale of development is appropriate for a particular site and what improvements may be necessary ~~on and off the site,~~ to provide safe and efficient access and traffic flow. *The TIA may show improvements being necessary on the development site or off site on the surrounding transportation network.*

6.10.1 When Required.

The Town of Waynesville requires a Traffic Impact Analysis using its own thresholds, parameters, and mitigation requirements. The Town's requirements may not reflect the same requirements as NCDOT. According to the NCDOT TIA Guidelines, municipal TIA requirements take precedence over NCDOT TIA requirements, if more restrictive.

A TIA shall be required for a rezoning, subdivision plan, site plan, special use permit, certificate of zoning compliance, or preliminary plat for developments under the following conditions:

A. Trip Generation Threshold: A TIA is required when a development is anticipated to generate 500 trips per day or 50 trips in the peak hour. (Trips do NOT equal cars. One car leaving and then returning equals 2 trips). Examples of common land uses that approximate this threshold include:

- 50 single-family homes
- 70 apartments / townhomes
- 100 room hotel
- 30,000 square foot office building
- 20,000 square foot shopping center

B. Other Thresholds: A TIA is also required at 70% of the Trip Generation threshold (350 daily trips or 35 peak hour trips) when one or more of the following conditions are met:

1. Site is within 1 mile of a school greater than 250 students with a school access directly or indirectly (1 turn away) on the same road of at least one of the site access points, and where there is no major intersecting road (5,000 ADT) between the site and the school.
2. Site is within ½ mile of a traffic signal that would be considered in the traffic impact study area.
3. If the site has a direct access on a major roadway (5,000 ADT)

6.10.2 TIA Contents and Requirements.

A traffic impact analysis report shall be determined based on a scoping meeting with the Town Administrator at which the location, context, and nearby land uses are considered in determining the scope of the TIA. The Town requires a TIA scoping document completed by the applicant and reviewed for completeness and reasonableness by the Town. The scoping document should be signed by both parties PRIOR to the commencement of the TIA. The scoping document will provide the applicant and the Town concurrence with study parameters such as study area, growth rate, peak hours, pass-by trips, trip generation, trip distribution, and land use codes. The existing conditions, background conditions, buildout conditions, and horizon conditions must be included in the study. The scoping document parameters are found in 6.10.7.

A TIA will vary in range and complexity depending on the type and size of the proposed development and based on the scope determined through the scoping document process.

Reports shall require the full rationale, from a North Carolina licensed engineer, to perform such duties to support the recommendations of this analysis. The submission shall include all pertinent traffic data and computations affecting the design proposal. The TIA must be sealed by a licensed professional engineer in North Carolina.

6.10.3 Improvements May Be Required.

Based on the findings of the analysis, mitigation measures may be required to improve adjacent roadways such as the creation of turn lanes, bridge replacement, crosswalks, road widening, or other physical improvements. The TIA could also involve strategies other than roadway construction or other physical improvements such as changes to traffic signal timing or phasing, and transportation management strategies.

2. Amend Section 6.10.4 to establish new thresholds for mitigation and remove Volume/Capacity Table:

6.10.4 Thresholds for Mitigation.

The Town requires consideration of roadway and/or operational improvements when the proposed development causes changes to the roadway Level of Service (LOS), increased queuing, or based on crash history, and as follows:

Mitigation Thresholds:

No mitigation will be necessary if the approach Level of Service (LOS) remains an “A” or “B” between Background and Horizon conditions AND if safety and operational concerns do not exist based on sight distance, blocking, queuing, or crash history.

If the approach Level of Service at Background is a “C” and delay increases more than 30% at Horizon conditions, mitigation should be required to reduce the LOS “C” delay increase to 10%.

If the approach Level of Service at Background is a “D” and delay increases more than 25% at Horizon conditions, mitigation should be required to reduce the LOS “D” delay increase to 10%.

If the approach Level of Service at Background is an “E” and delay increases more than 20% at Horizon conditions, mitigation should be required to reduce the LOS “E” delay increase to 10%.

If the approach Level of Service at Background is an “F” and delay increases more than 15% at Horizon conditions, mitigation should be required to reduce the LOS “F” delay increase to 10%.

If the site-generated traffic causes an increased queue at Horizon of 50% on any approach with less than 250-foot queue at Background, mitigation should be required to reduce the queue increase to 25%.

If the site-generated traffic causes an increased queue at Horizon of 25% on any approach with between 250-foot and 750-foot at Background, mitigation should be required to reduce the queue increase to 20%.

If the site-generated traffic causes an increased queue at Horizon of 15% on any approach with greater than 750-foot at Background, mitigation should be required to reduce the queue increase to 10%.

If the crash history shows greater than 3 *similar* crashes within a 12-month period, “preventable” mitigation should be required to reduce the chances of similar crashes involving site-generated traffic.

Mitigation should include references to the available right of way, potential constraints, project phasing, and innovative techniques to achieve the required mitigation goals.

Existing V/C REMOVED TABLE	Allowable Increase in V/C By Development
0.00—0.60	0.10
0.61—0.70	0.07
0.71—0.80	0.06
0.81—0.90	0.03
0.91—1.00+	0.02

3. Add Section 6.10.5 to allow alternative analysis (current 6.10.5 becomes 6.10.6):

6.10.5 Alternative to a Traffic Impact Analysis

In the event that a TIA is not required according to the Town's thresholds, the Town may still require an alternate traffic study to validate the safety and operation of the street system at or near the proposed site. Alternate studies may include:

Left of Right Turn Lane warrant analysis at the site access points. This analysis should be conducted using NCDOT methodology found in the current edition of the NCDOT Driveway manual.

Sealed Technical Memorandum addressing only the site access point including operation, safety, and trip impact to the adjacent roadway.

Sealed Safety Study along a stretch of street impacted by the site to address construction traffic, roadway width adequacy, pavement adequacy, etc.

The Town will use the submitted TIA as a tool to determine mitigation or improvements on the street network. The Town reserves the right to require less than or more than what is recommended in the TIA based on the right of way availability, safety, community concerns, or other factors.

~~6.10.5~~ 6.10.6 Payments-in-Lieu of Improvements.

The Board of Alderman may, at its discretion, accept either mitigation measures to be completed by the developer or a fee paid to the Town in lieu of mitigation. The fee shall be equal to the costs of the required mitigation measures, as determined by the Administrator. A combination of mitigation measures and payments-in-lieu of dedication may be permitted. Payments-in-lieu of dedication shall be approved as part of the Development Plan.

~~6.10.6 — TIA Requirements and Parameters.~~

4. Add 6.10.7 Guidelines for TIA Scope and Parameters

A. The scoping document should include the following information:

1. A project description and scaled site plan including both narrative and illustrations, adjacent land uses, sidewalks, bicycle facilities, all adjacent streets turning lanes, roadway striping, roadway signing, roadway grades.
2. Site build out year.
3. A location/vicinity map showing the nearest major intersections.
4. Growth rate – should be based on an engineering assessment, current traffic patterns, future land use plans, historical traffic growth patterns, etc. Generally, the growth rate will be between 1.5% and 4% annually.
5. Study area – should be from the site access point or points to the next major intersection (5,000 ADT), or to a point where site generated traffic dissipates to 10% of additional traffic on the roadway, whichever is further away. The study area can also include stretches of roadway (non-intersections) if deemed applicable by the Town.

6. Trip generation using the methodology provided by the ITE Trip Generation Manual, including assumed Land Use Codes.
7. Trip distribution for the entire study area. Include ingress and egress trips.
8. Pass-By Trips – Use guidance from the ITE Trip Generation Manual should be used but should not be more than 25%.
9. Internal Capture – Use guidance from the ITE Trip Generation Manual.
10. The study period should be for the Peak Hour (or hours) period and include Existing (current conditions), Background or No Build (conditions at the time of proposed build out but not including any site generated trips, Build Out (conditions at the time of build out including site generated trips), and Horizon (2 years beyond build out conditions).
11. Peak Hours will vary based on traffic patterns, land use, and adjacent street volumes but will generally be AM, PM, and sometimes mid-day. In most circumstances, the peak hour should be based on the peak hour for the site trip generation but may be expanded to include peak periods of adjacent streets, nearby schools or other specialty land uses. Some land uses such as parks, outdoor commercial, or places of worship may require a weekend peak hour.
12. Traffic signal operation should be modeled with current phasing and timing unless a traffic signal upgrade project is currently planned and designed. No Turn On Red should be implemented on all approaches. This will allow the applicant to modify the current traffic signal phasing or timing as part of mitigation if needed.
13. Vehicle data collection should usually be during the peak periods in 2 – 3 hour blocks. 12 – 13 hour data should be collected when performing a traffic signal warrant study.

B. Other Information for inclusion:

1. All approaches within the study area with four (4) or fewer trips during the peak hour should be modeled as 4 trips in order for most modeling software to perform adequately.
2. The TIA should address sight distance at all site access points (meeting AASHTO recommendations).
3. The TIA should address queuing and blocking of adjacent property driveways.
4. The TIA should include a crash study at each studied intersection. The crash study should include 5 previous years and projections for the Horizon year
5. The TIA should include all raw data – data collection in 15 min bins, intersection model runs, turn lane warrant calculation sheets, signal warrant calculation sheets, internal capture calculations, etc.

4. Add the Following Definitions to 17.4 Definitions, General

Transportation Impact Analysis or TIA. A specialized study that evaluates the effects of a development's traffic on the surrounding transportation infrastructure.

TIA AADT. Average Annual Daily Traffic gathered through a small sample size and projected to an annual rate.

TIA ADT. Average Daily Traffic gathered through a 365-day data collection process.

TIA Background Conditions. No Build. Conditions at the time of proposed project completion but not including any site generated trips. The background condition contains additional trips based on natural growth rates or other planned and scheduled projects in the study area.

TIA Build Out Conditions. Conditions at the time of project completion including site generated trips, natural growth, or other planned and scheduled projects in the study area.

TIA Existing Conditions. Current conditions not including any growth or new development

TIA Growth Rate. The natural traffic growth rate of the study area roadway area. The growth rate generally takes into account an additional or reduced number of homes, small commercial establishments, and the number of local drivers. Significant changes in these areas should be addressed specifically.

TIA Horizon Conditions. Conditions 2 years beyond Build Out Conditions including another 2 years of natural growth and other planned and scheduled projects in the study area.

TIA Internal Capture Trips. Trips that serve multiple land uses within the site. To keep these trips from being "double-counted" a certain percent can be excluded from one land use if they are included on another land use

TIA Level of Service (LOS). The relationship of travel demand compared to the roadway capacity determines the level of service (LOS) of a roadway. Six levels of service identify the range of possible conditions. Designations range from LOS A, which represents the best operating conditions, to LOS F, which represents the worst operating conditions.

TIA Pass By Trips. Site generated trips that result from vehicles already on the adjacent street and are not new to the study area. These trips do not disappear but result in a diverted movement. For instance, instead of traveling past the site access, the vehicle may turn left into the site access and right out when leaving the site.

TIA VPD. Vehicles per day either gathered for a 24-hour period or expanded from a smaller sample.

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: 2-22-22**

SUBJECT Public Hearing for borrowing funds for Fire Tanker Truck and repayment of General Fund for Land Purchase

AGENDA INFORMATION:

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

BRIEF SUMMARY:

We are on schedule to appear before the Local Government Commission to request permission to borrow up to \$600,000 for purchase of a Fire Tanker Truck and repay the General Fund Balance \$400,000 for purchase of the land where the Town will locate Fire Station #2. The Commission requires that the Town advertise and conduct a public hearing during its March 8th meeting to seek citizen input on the proposed borrowing.

MOTION FOR CONSIDERATION:

Set March 8th, 2022 on or about 6:00 pm to conduct a Public Hearing to seek input for the Town's proposal to borrow approximately \$1,000,000 for purchase of a Fire Tanker and reimburse the General Fund Balance \$400,000 for purchase of land for Fire Station #2/

FUNDING SOURCE/IMPACT:

General- Borrowing will require a 20 year payback which will be made from savings derived from refinancing the USDA Loan for Fire Station #1/.

ATTACHMENTS: Resolution

MANAGER'S COMMENTS AND RECOMMENDATIONS Approve the resolution

sh draft of Feb 8

February __, 2022

Joint Legislative Committee on Local Government
Co-Chairs Sen. McInnis and Rep. Warren
Legislative Building
16 West Jones St.
Raleigh, NC 27601

Fiscal Research Division
Attention: Director
North Carolina General Assembly
300 North Salisbury St., Suite 610
Raleigh, NC 27603

**Notice to the Joint Legislative Committee on Local Government
Concerning Proposed Financing by the Town of Waynesville**

To the Committee:

As counsel to the Town of Waynesville, North Carolina, and as required under N.C. Gen. Stat. Section 120-157.2, I am providing this notice of a proposed local government capital project that requires approval of the North Carolina Local Government Commission and requires debt to be issued in an amount exceeding \$1,000,000. Here is information about the proposed financing –

Project description	Acquire a fire station site, purchase a (water) tanker truck, and refinance an existing loan obligation for a public works facility.
Amount to be financed	Estimated as up to approximately \$1,900,000.
LGC meeting for consideration	April 5, 2022
Type of financing	Installment financing under Section 160A-20
Estimated financing term	The Town expects a financing term of approximately 15 years.

Sanford Holshouser LLP

February ____, 2022

page 2

Expected source of repayment	General fund revenues
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Please let me know if you have additional questions or comments for me about this proposed financing.

Very truly yours,

Robert M. Jessup Jr.

cc: Sharon G. Edmundson, Secretary of the Local Government Commission
c/o Joe Futima
Town of Waynesville officials
(each by electronic mail)
Also to reports@ncleg.net

Request for Financing Proposals

Up to \$1,900,000

Town of Waynesville, North Carolina **Mixed Projects Installment Financing**

The Town of Waynesville, North Carolina, requests your proposal for an installment financing. **Proposals are due by electronic mail at 11:00 a.m. Tuesday, March 1, 2022.** The Town expects a closing by April 12, 2022. The Town looks forward to receiving your response.

A. The project

Borrow \$400,000 for a fire station site – The Town has closed on this purchase, with a reimbursement resolution in place.

Borrow \$428,000 for a tanker truck – The Town has identified the truck it wants, but not yet purchased. Will also see a 15-year term on this.

Borrow up to \$900,000 to refinance an existing loan for a public works facility.

The Town also plans to borrow money to cover costs of issuance.

B. The proposed financing

Maximum amount	\$1,900,000. If the refinancing does not proceed, the maximum amount will be \$950,000.
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Term	As described in Part C below
Collateral	As described in Part D below
Payments	Level principal, either annual or semiannual payments, with the first payment coming after July 1, 2022
Interest rate	Fixed rates requested
Prepayment	The Town requests quotations on the basis of both (a) prepayment in whole or in part at any time without penalty, and then (b) with whatever prepayment limitations you care to propose. The Town realizes not every proposer will choose to offer both options.
Bank-qualified	The financing will be “bank-qualified” for the purposes of Section 265(b)(3) of the Internal Revenue Code.

C. Rates and terms requested

Please quote a rate for a 15-year term to amortize up to \$1,000,000 for the fire truck and the fire station site.

Please quote a 9-year rate (to April 2031) to amortize up to \$900,000 for the public works facility. If your quoted rate would be above the existing loan rate of 2.09%, we invite you to quote a term that will allow you to quote a rate below 2.09%.

D. The proposed collateral

If the refinancing for the public works facility proceeds, then only the public works facility will be offered as collateral. building (not including contents and equipment) of approximately \$3.49 million.

If the refinancing dos not proceed, then the Town will offer both the new fire truck and the fire station site as collateral.

The Town will not commission any additional survey or appraisal of any property or any third-party evaluation of environmental conditions of the property.

E. Proposed schedule

Proposals due	11:00 a.m., March 1
Town staff chooses a bidder to recommend to the Town Board for formal approval	By Friday, March 4
Town conducts required public hearing	March 8
Formal action by Town Board to approve proposal and substantially final financing documents	March 22
LGC approval	April 5
Deadline for closing date	By April 12

F. Proposal requirements

Along with your quoted rates, your proposal should include the following:

1. A clear and complete statement of whether there are any conditions to the closing of the transaction other than preparing acceptable documentation. The Town will rely on there being no such conditions unless stated in the proposal.

2. A clear and complete statement of all expenses to be paid to you or on your behalf, for such things as origination or underwriting fees, fees to any separate counsel you may elect to retain, any separate fees for escrow services, or reimbursement to you of any expenses. All these costs must be subject to stated maximums.

3. Please be clear as to whether you will advance the full financing proceeds to the Town at closing, or whether you will require an escrow process with your approving disbursements of loan proceeds.

4. A clear and complete statement of any rights you have to withdraw your proposal. As a term of this request, the Town retains the right to select a proposer on the basis of its proposal until 12:00 noon on Wednesday, March 23, 2022, subject only to terms stated in the proposal, and then the proposer shall have no right to withdraw the proposal prior to the proposed closing date stated above except in accordance with any terms or conditions stated in this request or in the proposal.

No commitment on the Town's part is final, however, unless and until (a) your organization's proposal states that the proposal is a commitment subject to acceptance, (b) the LGC has approved the financing, and (c) the Town Board has adopted a resolution approving your proposal.

4. Any other information you wish to provide concerning the financing or why your organization should be selected.

5. The name, telephone number and email address of a contact person for further communications with regard to the proposal process.

Sanford Holshouser LLP, Carrboro, North Carolina, as the Town's Bond Counsel, will prepare financing documents, but the Town is open to working with financing documents proposed by the successful bidder (a bidder should state that

preference in its proposal). The Town plans to provide a validity and tax opinion from Sanford Holshouser, and a bidder should indicate if an opinion is not required.

The Town reserves the right to request additional information from bidders. The Town reserves the right to negotiate with any bidder, to reject all proposals and to waive any irregularity or informality. Although the selection will be based substantially on lowest total financing cost (including both interest cost and upfront fees and expenses), the Town reserves the right to select the bidder that best meet the needs of the Town.

G. For additional information

You may direct questions to the following:

Financial or Project Information – Misty Hagood, Town of Waynesville finance officer, mhagood@waynesvillenc.gov.

Legal Information - Robert M. Jessup Jr., Esq., Sanford Holshouser LLP, Bond Counsel, 919/933-9891 (bob@shlawgroup.com).

You can find the Town's audited financial statements for the year ended June 30, 2021, on the Town's website as follows:

<https://www.waynesvillenc.gov/sites/default/files/inline-files/2021%20Financial%20Statements.pdf>.

H. Submitting proposals

Submit written proposals **by electronic mail**. Messages should be captioned "Town of Waynesville Financing Proposal" and must be received no later than **11:00 a.m. on Tuesday, March 1, 2022**. The proposal must be received by the deadline by Misty the Town's finance officer, at mhagood@waynesvillenc.gov.

The proposer in all events bears the risk of a late or incomplete delivery or transmission.

Please submit a copy of the proposal to Robert M. Jessup, Jr., Sanford Holshouser LLP, at bob@shlawgroup.com. This copy need not be submitted by the

deadline as a condition of this request, but it will be a convenience to the Town if it is submitted at or near the deadline.

sh draft of February 8

**Resolution supporting application to the Local Government
Commission for its approval of Town financing agreements
– Property Acquisition for a Fire Station Site, Tanker Truck
Financing, and Refinancing of Existing Loan**

Introduction --

The Board of Aldermen (the “Board”) of the Town of Waynesville (the “Town”) has previously determined to carry out a project to pay for the acquisition of the site for a new fire station, to finance the purchase of a new tanker truck and to refinance the existing loan for the Town’s publics works facility.

The Board has also made a preliminary determination to finance these projects through installment financings, as authorized under Section 160A-20 of the North Carolina General Statutes. In an installment financing, the Town’s repayment obligation is secured by a mortgage-type interest in all or part of the property being financed, but not by any pledge of the Town’s taxing power or any specific revenue stream.

North Carolina law requires that the Town’s financing be approved by the North Carolina Local Government Commission (the “LGC”), a division of the North Carolina State Treasurer’s office. Under the LGC’s guidelines, this governing body must make certain findings of fact to support the Town’s application for the LGC’s approval of the Town’ financing arrangements.

1. THEREFORE, BE IT RESOLVED by the Board of Alderman of the Town of Waynesville, as follows:

(a) The Town makes a preliminary determination to enter into financing contracts for the purposes described above.

(b) The Town expects to enter into a financing contract for approximately \$1,000,000 to pay for a new tanker truck and the acquisition of property for a new fire station, and approximately \$900,000 to refinance the Town’s existing BB&T loan

for the public works facility. The loan will be secured by some combination of lien(s), which may or may not include as collateral, the new fire station property, tanker truck, and public works facility,

(c) The Board will determine the final amount to be financed by a later resolution. The total amount finally financed under the installment financing may be slightly lower or slightly higher than \$1,900,000. Some of the financing proceeds may represent reimbursement to the Town for prior expenditures on project costs, and some proceeds may be used to pay financing expenses or to provide any appropriate reserves.

2. The Board makes the following findings of fact in support of the Town's application to the LGC:

(a) The proposed projects are necessary and appropriate for the Town under all the circumstances.

(b) The proposed installment financing is preferable to a bond issue for the same purposes. The financing is for discrete facilities and equipment; and it is therefore particularly suitable for an installment financing. The loan being refinanced is also an installment financing, so it is also suitable to be refinanced as an installment financing. The Town has no meaningful ability to issue non-voted general obligation bonds for this project. This project will produce no revenues that could be used to support a revenue bond financing. The Town expects that in the current interest rate environment for municipal securities there would be no material difference in the overall financing costs between a general obligation bond and an installment financing for this project.

(c) The estimated sums to fall due under the proposed financing contract are adequate and not excessive for the proposed purpose. The Town will closely review proposed financing rates against market rates with guidance from the LGC. All amounts financed will reflect either approved contracts, previous actual expenditures, or professional estimates.

(d) As confirmed by the Town's Finance Officer, (i) the Town's debt management procedures and policies are sound and in compliance with law, and (ii) the Town is not in default under any of its debt service obligations.

(e) Given the Town's need for the project, the Board believes that the effect on the Town's budget and the tax rate impact will be reasonable under all the circumstances. The Board will work to minimize the tax rate impact of the borrowing in a manner consistent with moving forward with the project and addressing the full range of Town needs. The refinancing will save the Town money over time and will therefore reduce the burden on the tax rate.

(f) The Town Attorney is of the opinion that the proposed project is authorized by law and is a purpose for which public funds of the Town may be expended pursuant to the Constitution and laws of North Carolina.

3. Additionally, the Board resolves as follows:

(a) The Town intends that the adoption of this resolution will be a declaration of the Town's official intent to reimburse project expenditures from financing proceeds. The Town intends that funds that have been advanced for project costs, or which may be so advanced, from the Town's general fund, or any other Town fund, may be reimbursed from the financing proceeds.

(b) The Board directs the Town Manager and the Finance Officer to take all appropriate steps toward the completion of the financing, including completing an application to the LGC for its approval of the proposed financing,

(d) This resolution takes effect immediately.

I certify as follows: that the foregoing resolution was properly adopted at a meeting of the Board of Alderman of the Town of Waynesville, North Carolina; that this meeting was properly called and held on March 8, 2022; that a quorum was present and acting throughout this meeting; and that this resolution has not been modified or amended, and remains in full effect as of today.

Dated this ____ day of _____, 2022.

[SEAL]

Eddie Ward
Town Clerk
Waynesville, North Carolina

Town of Waynesville, North Carolina – Notice of Public Hearing
Financing for Fire Station and Tanker Truck, and To Refinance Existing Loan

The Board of Alderman (the “Board”) of the Town of Waynesville North Carolina (the “Town”), will hold a public hearing on March 8, 2022, at 6:00 p.m. (or as soon thereafter as the matter may be heard). The purpose of the hearing is to take public comment concerning proposed financing contract, under which the Town would borrow approximately \$1,000,000 to pay for a new tanker truck and the acquisition of property for a new fire station and (2) approximately \$900,000 to refinance existing loan obligations. The refinancing will reduce borrowing costs and save the Town money.

The proposed financing would be secured by a lien on some or all of the projects financed or refinanced (and associated real estate), as well as the Town’s promise to repay the financing, but there would be no recourse against the Town or its property (other than the pledged property) if there were a default on the financing.

The hearing will be held at the Town Hall, located at 9 South Main Street, Waynesville, North Carolina 28786.

All interested persons will be heard. The Town’s plans are subject to change based on the comments received at the public hearing and the Board’s subsequent discussion and consideration. The Town’s entering into the financing is subject to obtaining approval from the North Carolina Local Government Commission.

Persons wishing to make written comments in advance of the hearing or wishing more information concerning the subject of the hearing may contact Eddie Ward, Town Clerk, 16 South Main Street, Waynesville, North Carolina 28786 (telephone (828) 452-2491, eward@waynesvillenc.gov).

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: 2/22/2022**

SUBJECT Board Retreat

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Administration
Contact: Rob Hites
Presenter: **Rob Hites**

BRIEF SUMMARY:

The Board requested that the staff develop a proposal for a 1 ½ day retreat. In order to accommodate the Board member's schedules with a Thursday/Friday retreat the Board would have the February 24th and 25th or March 3rd and 4th to hold their retreat. We would meet at 8:30 – 5:00 on Thursday and 1:30-5:00 on Friday. I will provide more detail in the attachment.

MOTION FOR CONSIDERATION:

Set a date for a Winter retreat

FUNDING SOURCE/IMPACT: all

ATTACHMENTS:

Proposed schedule

MANAGER'S COMMENTS AND RECOMMENDATIONS

If you will give us input on our proposed agenda we can begin to plan. It would seem appropriate to start with retreat with a discussion of long-term goals and programs and follow up with specific actions that would be planned and budgeted to reach the goals.

Ex. Long Term Goal: To develop a program for supplying affordable housing. **Programs to accomplish the goal:** Form a consortium of affordable housing providers to plan developments, purchase land for affordable housing, fund the gap between the actual cost of the dwelling and the value that a low to moderate income family can afford and extend utilities at the Town's cost to land set aside for affordable housing. The goal of tying long term goals to short term projects is that the Town is directing its short-term projects with its long-term goals.

The Board would spend the first day establishing long term goals and action items to accomplish the goals and the afternoon of the second day discussing Board and Staff projects that were not covered on Thursday.

Board of Aldermen Retreat Agenda

MARCH 3RD, 4TH, 2022

- | | | |
|--|----------------|----------|
| 1. Call to Order | Mayor Caldwell | 8:30 AM |
| Introductory Comments | | |
| 2. Discussion of Ground Rules for Retreat | | 8:40 AM |
| 3. Introduction to Goal Setting: | | 9:00 AM |
| Review of Structure of Exercise | | |
| Statement of Long-Term Goal by Alderman | | |
| Explanation of resources needed to fulfill Goal | | |
| Discussion of short-term projects vs long term | | |
| Discussion of Timeline for achieving goal | | |
| Rating List of Goals 1-5 to determine priorities | | |
| 4. BREAK | | 10:30 AM |
| Discussion of Individual Goals: (Listed Alphabetically) | | 10:45 AM |
| Goal: Explanation, Resources, Project Scope, Time- Line | | |
| 5. LUNCH | | 12:30 PM |
| Continue Discussion of Individual Goals | | 1:00 PM |
| Additional Goals not Included in submitted list | | 3:00 PM |
| 6. Rating of Goals- 1-5 (submit list to staff) | | 3:20 PM |
| 7. Ranking of Goals, Discussion | | 3:30 PM |
| 8. Closing Comments | | 4:00 PM |
| 9. Motion to Continue Meeting to 1:30 PM Friday, March 5th | | 4:15 PM |

CONTINUED MEETING MARCH 4TH

- | | |
|---|---------|
| Call to Order | 1:30 PM |
| Continuation of Goal Setting from Thursday | 1:40 PM |
| Presentation of Projects not discussed in Goal setting | |
| Ex. <i>Status of Fire Station #2, timeline, design, funding</i> | |
| <i>Status of Sewer Plant Bids, Borrowing, SOC</i> | |
| <i>Town has depleted 155,000 gpd in allocation set in SOC</i> | |
| Closing comments by Mayor and Board of Aldermen | 4:00 pm |

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SMART Goals:
A How to Guide

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How to Write SMART Goals: A Guide for Managers and Employees

What are SMART Goals?

- Statements of the important results you are working to accomplish
- Designed in a way to foster clear and mutual understanding of what constitutes expected levels of performance and successful professional development

What is the SMART criteria?

S	Specific	What will be accomplished? What actions will you take?
M	Measurable	What data will measure the goal? (How much? How well?)
A	Achievable	Is the goal doable? Do you have the necessary skills and resources?
R	Relevant	How does the goal align with broader goals? Why is the result important?
T	Time-Bound	What is the time frame for accomplishing the goal?

How do I decide the right scope for my SMART Goals? (How big? How many?)

SMART goals are meant to address all of your major job responsibilities. Remember, goals are intended to focus attention and resources on what is most important so that you can be successful in achieving your priorities. SMART Goals are goals for your day-to-day job.

- Common types of goals are to:
 - Increase something
 - Make something
 - Improve something
 - Reduce something
 - Save something
 - Develop someone (yourself!)

Where to start?

1. Start by thinking about your whole job and the broad areas (or “buckets”) of responsibility and results for which you are accountable.
2. Develop a goal statement for each bucket. To get the scope right, remember to focus on end results not tasks.

3. Goals should be high level enough to encompass the core outcomes for which you are responsible, but specific and clear enough so you will be able to measure success.
4. Goals should be on-going job responsibilities and any new projects, assignments, priorities, or initiatives that are specific to this performance cycle.
5. Having too many goals can be an indicator that your goals are scoped at too low a level and are focused more on tasks than on end results.
6. If it seems that your goals are becoming too numerous and task-oriented, it may be helpful to consider combining several goal statements into a broader outcome area.

How to write your S-M-A-R-T goal

S – Specific

When setting a goal, be specific about what you want to accomplish. Think about this as the mission statement for your goal. This isn't a detailed list of how you're going to meet a goal, but it should include an answer to the popular 'w' questions:

- Who – Consider who needs to be involved to achieve the goal (this is especially important when you're working on a group project).
- What – Think about exactly what you are trying to accomplish and don't be afraid to get very detailed.
- When – You'll get more specific about this question under the "time-bound" section of defining S.M.A.R.T. goals, but you should at least set a time frame.
- Where – This question may not always apply, especially if you're setting personal goals, but if there's a location or relevant event, identify it here.
- Which – Determine any related obstacles or requirements. This question can be beneficial in deciding if your goal is realistic. For example, if the goal is to open a baking business, but you've never baked anything before, that might be an issue. As a result, you may refine the specifics of the goal to be "Learn how to bake in order to open a baking business."
- Why – What is the reason for the goal? When it comes to using this method for employees, the answer will likely be along the lines of company advancement or career development.

- “S” actions may include:

Oversee	Update	Write
Coordinate	Upgrade	Process
Supervise	Develop	Provide
Manage	Create	Maintain
Plan	Implement	Reconcile
Support	Evaluate	Direct
Transition	Produce	Administer

- Note that this list does not include verbs like “improve,” “reduce,” or “increase” (e.g. “Improve customer service” or “reduce cost.” These imply the direction that you want a result to move in, but don’t do much to explain the role or specific action that you will take to accomplish this change.

M – Measurable

What metrics are you going to use to determine if you meet the goal? This makes a goal more tangible because it provides a way to measure progress. If it’s a project that’s going to take a few months to complete, then set some milestones by considering specific tasks to accomplish. Milestones are a series of steps along the way that when added up will result in the completion of your main goal.

- As the “M” in SMART states, there should be a source of information to measure or determine whether a goal has been achieved.
- The M is a direct (or possibly indirect) indicator of what success for a particular goal will look like.
- Sometimes measurement is difficult and managers and employees will need to work together to identify the most relevant and feasible data sources and collection methods.
- Data collection efforts needed to measure a goal can be included in that goal’s action plan.
- Even if a perfect, direct measurement source is not immediately feasible for a given goal, the discussion about the desired end result (why this goal is important) and what the measurement options are (what success might look like) is an important and valuable part of performance planning.
- Measurement methods can be both quantitative (productivity results, money saved or earned, etc.) and qualitative (client testimonials, surveys, etc.).

- Some typical data types and data collection methods may include:

DATA TYPES	DATA COLLECTION METHODS
Quality/accuracy rates	Automated reports
Amounts produced	Audits, tests
Revenue generated	Surveys
Productivity rates	Work products, samples
Customer Satisfaction	Other documents

A – Achievable

This focuses on how important a goal is to you and what you can do to make it attainable and may require developing new skills and changing attitudes. The goal is meant to inspire motivation, not discouragement. Think about:

- how to accomplish the goal,
- if you have the tools/skills needed,
- if not, consider what it would take to attain them.

R – Relevant

Relevance refers focusing on something that makes sense with the broader business goals. For example, if the goal is to launch a new program or service, it should be something that's in alignment with the overall business/department objectives. Your team may be able to launch a new program, but if your division is not prioritizing launching that type of new programs, then the goal wouldn't be relevant.

T – Time-Bound

Anyone can set goals, but if it lacks realistic timing, chances are you're not going to succeed. Providing a target date for deliverables is imperative. Ask specific questions about the goal deadline and what can be accomplished within that time period. If the goal will take three months to complete, it's useful to define what should be achieved half-way through the process. Providing time constraints also creates a sense of urgency.

The Easiest Way to Write S.M.A.R.T. Goals

When it comes to writing S.M.A.R.T. goals, ask yourself and other team members a lot of questions. The answers will help fine-tune your strategy, ensuring the goals are something that's actually attainable. Utilize the template provided in the appendix as a guide.

This doesn't have to be a daunting experience; in fact, it should be quite illuminating. Below we demonstrate how to write S.M.A.R.T. goals for two typical business scenarios: completing a project and improving personal performance. We've also created an easy-to-use S.M.A.R.T. goals template and worksheet to help you get started.

Examples of Creating a SMART Goal

Here are two examples of initial goals we'll use to walk through this process:

1. I want to complete a project
2. I want to improve my performance

This is a typical approach to creating goals, but both of these are very vague. With the current wording, the goals probably aren't going to be attainable. The statements lack specifics, timelines, motivation, and a reality check.

Now, let's use the S.M.A.R.T. goals formula to clarify both and create new and improved goals.

Goal: I want to complete a project

- **Specific:** Many people are accessing our current site from their mobile devices. Since it's not a responsive site, it provides a poor experience for customers. I want to launch a mobile app for my company website by the end of June, which requires involvement from software development, design, and marketing.
- **Measurable:** Creating a mobile app for our company site will require a lot of resources. To make it worthwhile, I'd like to have 50,000 installs of the site within six months of launch. I'd also like to show a 5% conversion rate from customers using the mobile site.
- **Achievable:** The departments that will be involved have signed-off on creating a mobile app. I'll need to manage the project and set milestones to keep everyone motivated and on target.
- **Relevant:** Improving the customer experience on mobile devices is a core initiative for my company this year.
- **Time-Bound:** In order to achieve 50,000 mobile app installs and a 5% conversion rate by the end of the fiscal year, the app will need to be launched by Q2 with a robust marketing campaign that should continue through the end of the year.

Goal: I want to improve my performance

- **Specific:** I received low marks on my ability to use PowerPoint at my last performance review. Improving my skills requires that I learn how to use PowerPoint efficiently and practice using it by creating various presentations. I'd like to be more proficient using PowerPoint in time for my next review in six months.
- **Measurable:** By the time of my next review, I should be able to create presentations that incorporate graphs, images, and other media in a couple of hours. I should also be able to efficiently use and create templates in PowerPoint that my coworkers can also use.
- **Achievable:** Improving my PowerPoint skills is instrumental in moving forward in my career and receiving a better performance review. I can set time aside every week to watch PowerPoint tutorials and even enroll in an online class that can teach me new skills. I can also ask coworkers and my manager for PowerPoint tips.
- **Relevant:** Working with PowerPoint is currently 25% of my job. As I move up in the company, I'll need to spend 50% of my time creating PowerPoint presentations. I enjoy my career and want to continue to grow within this company.
- **Time-Bound:** In six months, I should be proficient in PowerPoint ensuring it only occupies 25% of my workload instead of the nearly 40% of the time it occupies now.

Once you go through and write your goals according to each S.M.A.R.T. characteristic, you can then combine and consolidate all the work you've done into one S.M.A.R.T. goal.

S.M.A.R.T. goal: I want to complete a project

- **Description:** Improving the customer experience on mobile devices is a core initiative for my company this year, so we are going to create a mobile app. By the end of the fiscal year, there should be 50,000 installs of the mobile app we develop, and it should produce a 5% conversion rate. We'll build the mobile app in-house and launch it by the end of June with an app-related marketing campaign that will continue to the end of the year.
- **Milestone:** Mobile app launches end of June.

- **Deadline:** End of the fiscal year.

S.M.A.R.T. goal: I want to improve my performance

- **Description:** To grow in my career, I need to improve my PowerPoint skills. By taking online classes and reviewing tutorials, I'll improve my PowerPoint skills so that it only requires 25% of my work time.
- **Milestone:** Complete an online PowerPoint course in three months.
- **Deadline:** Next employee review in six months.

Appendix

Template for writing a S.M.A.R.T. Goal

Crafting S.M.A.R.T. Goals are designed to help you identify if what you want to achieve is realistic and determine a deadline. When writing S.M.A.R.T. Goals use concise language, but include relevant information. These are designed to help you succeed, so be positive when answering the questions.

Initial Goal *(Write the goal you have in mind):*

1. Specific *(What do you want to accomplish? Who needs to be included? When do you want to do this? Why is this a goal?)*

2. Measurable *(How can you measure progress and know if you've successfully met your goal?):*

3. Achievable *(Do you have the skills required to achieve the goal? If not, can you obtain them? What is the motivation for this goal? Is the amount of effort required on par with what the goal will achieve?):*

4. Relevant *(Why am I setting this goal now? Is it aligned with overall objectives?):*

5. Time-bound *(What's the deadline and is it realistic?):*

S.M.A.R.T. Goal *(Review what you have written, and craft a new goal statement based on what the answers to the questions above have revealed):*

More SMART Goal Examples**Ongoing**

- Provide high quality customer service resulting in a 90% customer satisfaction rating from external customers on accuracy, timeliness and courtesy measures on an ongoing basis.
- On an ongoing basis, reconcile the department financial reports by the 15th of every month with no increase in reconciliation errors.
- On an ongoing basis, accurately process and dispatch 95% of high priority calls for police, fire and medical services.
- On an ongoing basis, dispatch 82% of high priority calls for police, fire and medical services within established timeframes.
- Resolve 90% of complaints through a collaborative process without need for formal mediation on an ongoing basis.
- Conduct education, monitoring and enforcement to ensure that 98% of agricultural and pest control businesses are in compliance with all pesticide regulatory requirements on an ongoing basis.
- Manage and support effective performance resulting in achievement of 75% of program and individual performance targets by the end of the fiscal year.
- Manage the department budget to stay within appropriations and accomplish 85% of service results by the end of the fiscal year.
- Coach and support my direct reports resulting in attainment of 85% of all performance plan goals and feedback from direct reports that I provided them with clear expectations, meaningful feedback and fair performance evaluations by the end of the fiscal year.

New Project/Performance Cycle-Specific

- By March 2011, develop and implement a customer service plan that results in department staff reporting that they are clear about expectations for excellent customer service and have the skills and support to perform at that level and that results in customers reporting that they receive excellent customer service.
- Transition to a new automated case management system with minimal affects on customer service by developing a training program that ensures all staff can process 30 cases per day no later than three months after the end of the training classes.
- Reduce overtime in the department from 150 hours per month to 50 hours per month by the end of the fiscal year with no increase in incident reports.
- Develop a quality improvement process for the sanitary sewer system that reduces the failure rate to 1% by 12/31/11.
- Create a partnership with at least 5 local cities to deliver two compliance-related training workshops resulting in \$____ improvement in Net County Cost by 6/30/11.
- By 11/30/11, update the employee handbook to include a searchable intranet version that employees find easy to use and informative.
- Complete the Energy Watch Program to reduce countywide carbon emissions by 605 tons by the end of the fiscal year.

- Conduct outreach and education that reduces the amount of illegal dumping into the streets and drainage channels by __% by June 30, 2011.
- Develop and implement vehicle replacement plan to increase the Average Fuel Economy to 30 Miles per Gallon by 2012 for Midsize and Compact Vehicles and to increase the average Miles per Gallon on the total fleet to 25 MPG by 2016.
- Implement Evidence Based Probation Service (EPBS) practices in order to reduce recidivism among participants by __% by June 30, 2011.

Development Goals

- By June 30, 2011, develop and apply upgraded computer skills that enable me to produce budget reconciliation reports each month in a timely and accurate fashion.
- Develop and practice my coaching skills so that my direct reports report that they feel more satisfied with their work and able to perform at a higher level and such that I achieve a 30/70 split between coaching and doing by June 30, 2011.
- By June 30, 2011, complete course work and attain a CSAC credential to enhance my skills as an effective leader as measured by feedback from my supervisor and the accomplishment of my performance plan goals.

DRAFTING GOALS

Drafting Goals are designed to help you identify if what you want to achieve is realistic and affordable. When drafting a goal, use precise language that includes important information. Well drafted language and relevant information will aid you in answering the questions below and help your colleagues understand your reasoning.

Goal: *(Write the goal you have in mind):*

1. Be Specific: *{What do you want to accomplish? Who needs to be included? When do you want to do this? Why is this a goal?}*

2. Achievable *{Does the Town have the skills required to achieve the goal? If not, can they obtain them? What other stakeholders should be included in this goal in order to make it successful?}*

3. Relevance to Waynesville's Current Needs? *{Why am I setting this goal now?}*

4. Time- Line for Achieving the Goal? *{What 'are the deadlines and are they realistic?}*

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