



Town of Waynesville, NC

Board of Aldermen Regular Meeting

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

Date: January 11, 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. 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 December 14, 2021 regular meeting

D. PRESENTATION

2. Drug Courts, addictions and mental health issues

- Peggy Hannah

-

E. OLD BUSINESS

3. Amendment to Chapter 44, Solid Waste and Weeds.

- Town Manager Rob Hites

Motion: To recommend revisions and adopt the amendments to Chapter 44 Solid Waste and Weeds

4. Carolina Technologies Integrated Systems Proposal for Board Room Upgrade

- Assistant Town Manager Jesse Fowler

Motion: To approve the contract under the condition that any adjustment in price not-exceed a total contract value of \$70,000

F. NEW BUSINESS

5. Award of Contract for Richland Creek Greenway Bridge

- Development Services Director Elizabeth Teague

Motion: To approve Ordinance No. O-01-22, Amendment No. 14 in the amount of \$55,011.00 from the fund balance to construct the Richland Creek Greenway Bridge.

G. COMMUNICATION FROM STAFF

6. Manager's Report

- Town Manager, Rob Hites

7. Town Attorney Report

- Town Attorney, Martha Bradley

H. COMMUNICATIONS FROM THE MAYOR AND BOARD

I. CLOSED SESSION

Motion: To enter Closed Session in accordance with NCGS §143-318.11(6) to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

J. ADJOURN



TOWN OF WAYNESVILLE

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 Waynesville, NC 28786
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CALENDAR January 2022

2022	
Tuesday January 11	Board of Aldermen Meeting – Regular Meeting
Monday January 17	Town Offices Closed – Martin Luther King, Jr. Day
Tuesday January 25	Board of Aldermen Meeting – Regular Session
Tuesday Feb 8	Board of Aldermen Meeting – Regular Session
Tuesday Feb 22	Board of Aldermen Meeting – Regular Session
Tuesday March 8	Board of Aldermen Meeting – Regular Session
Tuesday March 22	Board of Aldermen Meeting – Regular Session
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
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 23	Board of Alderman Meeting- Regular Session
Friday November 11	Town Offices Closed – Veterans Day
Tuesday December 13	Board of Aldermen Meeting – Regular Session
December 23, 24 & 27th	Town Closed – Christmas Holidays

Board and Commission Meetings – January 2022

ABC Board	ABC Office – 52 Dayco Drive	January 18 3 rd Tuesday 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	January 4 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	January 5 1 st Wednesday 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	January 17 3 rd Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	January 13 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	January 19 3 rd Wednesday 5:30 PM
Waynesville Housing Authority	Waynesville Towers – 65 Church Street	January 11 2 nd Tuesday 3:30 PM

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
Regular Meeting
December 14, 2021

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday December 14, 2021 at 6:00 pm. in the Town Hall Board Room located at 9 South Main Street Waynesville, NC.

A. CALL TO ORDER

Mayor Gary Caldwell called the meeting to order at 6:05 pm with the following members present:

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

The following staff members were present:

Rob Hites, Town Manager
Jesse Fowler, Assistant Town Manager
Eddie Ward, Town Clerk
Police Chief David Adams
Assistant Police Chief, Brandon Gilmore
Elizabeth Teague, Development Services Director
Olga Grooman, Planner
Sam Cullen, Code Enforcement Officer
Jeff Stines, Public Services Director
Beth Gilmore, DWA Director

The following media representative was present:

Becky Johnson, Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone to the meeting and reminded them that Town Offices will be closed on December 23, 24 & 27th for the Christmas Holidays, and Friday December 31 for New Year's Day.

B. OATH OF OFFICE FOR WNC PUBLIC LANDS COMMISSION

Judge Kaleb Wingate for Marcy Onieal

Town Manager Rob Hites introduced Ms. Marcy Onieal and gave a brief description of the WNC Public Lands Commission. Ms. Onieal was sworn in by Judge Kaleb Wingate.

C. PUBLIC COMMENT

Mr. Dick Young asked if the Electric Department could trim the trees on Main Street.

Ms. Lois Hollis made comments concerning the no parking sign on Johnson Hill Drive.

Mr. Joseph Lipari stated his concerns about his neighbors on Johnson Hill Drive.

Mr. Eric Overhultz complimented the Town on the parade and decorations for Christmas and expressed concern about the homeless and trash under the bridges.

Ms. Betsy Wall commented on the recycling bins and plastics.

Mr. Steve Wall expressed concerns about the smoke coming from the burning being done at the Country Club.

Ms. Peggy Hannah thanked the Board for participating in the Hazelwood Christmas Parade. She commented on the condition of the Dog Park and placed a public Information request to the Police Department.

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 November 23, 2021 regular meeting
- ii. Adoption of the November 10, 2021 emergency meeting
- iii. Source Water Resiliency and Response Plan, Emergency Response Plan

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to move item iii – Source Water Resiliency and Response Plan, Emergency Response Plan to the regular agenda. Items i and ii – approval of the November 23 regular meeting and November 10 emergency meeting minutes were approved as presented. The motion carried unanimously.

Assistant Town Manager Jesse Fowler explained to the Board that the staff has completed the Source Water Resiliency and Response Plan training, however Mr. Greg Shuping is listed as the emergency contact for Haywood County Emergency Management. Mr. Shuping has retired, and Mr. Travis Donaldson is his replacement, and will be listed on the

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to accept the Source Water Resiliency and Response Plan as amended. The motion carried unanimously.

E. PUBLIC HEARINGS

2. Public Hearing to consider a request for Annexation for property known as “The Queen Subdivision,” PIN 8615-98-2217.
 - Elizabeth Teague, Development Services Director

The Public Hearing was opened at 6:30 pm by Town Attorney Martha Bradley.

Ms. Elizabeth Teague, Development Services Director, told the Board that the Town had received a Petition for Annexation of Contiguous Area for the property known as the Queen Subdivision, an unaddressed lot on Sunnyside Road, PIN 8615-98-2217. The property lies within the Racoon Creek Neighborhood-Residential District (RC-NR), and is 32.67 acres.

This is the future site of a proposed subdivision and a Public Hearing was held on September 27, 2021 and continued until October 18, 2021. The preliminary plat was approved by the Planning Board on October 26, 2021. Annexation of this property will allow the property to receive Municipal service and will be subjected to Town Property Taxes. Ms. Teague clarified that water and sewer will be provided to properties that are annexed into the Town. The power will be provided by Duke Energy at this time.

Town Attorney Bradley reminded everyone of the Town’s policy on Public Comments during a Public Hearing.

Patrick Bradshaw
Civil Design Concepts

Mr. Patrick Bradshaw, representative of the applicant, explained to the Board that the proposal for 115 single family homes on the 32-acre property. He said he felt that the zoning matters were set and understood at the Planning Board meetings.

Speaking personally, Mr. Bradshaw stated that there is a significant housing shortage, and from a neighborly perspective he encouraged the Board to consider the request for annexation.

Jimmy Crocker

Mr. Crocker expressed his concerns about the Sunnyside Road, which is a 16-foot road, and the right-of-way is 18 feet. He said the school busses have very little leeway on the road when they meet other cars. He feels the road is dangerous because of the blind curves and is worried about the amount of traffic that will be increased from 350 cars a day to an additional 950 cars a day to the road with this development.

Zoltan Kollat

Mr. Kollat had concerns about the safety of the road with the additional traffic. He asked the Board to consider a lesser number of houses per acre on the property. He said that all the

concerns had been brought up in the previous meetings with the Planning Board. The sewage will not be able to handle all the houses that are planned in the future.

Lisa Shelton

Ms. Shelton said she has lived on that farm for 36 years. She told the Board that she loved the farm and she hated to see it go, but it is inevitable that development is going to happen. Neighbors around the farm bought a view, not the farm. She said that everyone should have been preserving farmland 15 years ago, instead of now. It is very hard to let the farm go, but the time has come. She asked to Board to please support agriculture.

Becki Kollat

Ms. Kollat said that no one is denying houses to be built on the property, the objection is about having so many houses. With having that many in such a small space it will affect the quality of life for everyone.

Ms. Teague clarified that with the current zoning, six houses per acre are allowed. This development is allowing 3.5 houses per acre in terms of its overall density. She said that Town staff had reached out to NCDOT concerning the width of the road. The accommodation was made that the entry road be widened. The line of sight was studied as well as the radius of Sunnyside Road. NCDOT determined that now even with this development, the threshold of traffic is not estimated to prompt a full-on road improvement. As traffic increases, road improvement would be appropriate. Also access points and intersections are available to be improved, and staff will continue to work with NCDOT. Ms. Teague told the Board that staff is also concerned about the road. She added that sidewalks will be required internally in the development, as well as a secondary access road. Ms. Teague explained to the Board that the zoning for the property has not changed, it falls within the Raccoon Creed Residential District, and they are complying with the zoning as it has existed for several years.

Alderman Jon Feichter asked about future phases of development for the property. Mr. Bradshaw assured Alderman Feichter that on behalf of his client there is not a phase 2 for the property.

A motion was made by Alderman Jon Feichter, seconded by Alderman Chuck Dickson, to allow more time for a previous speaker to address the Board again. The motion carried unanimously.

Zoltan Kollat

Mr. Kollat stated he didn't understand how there wasn't plans for development of future houses on the remainder of the property, when it is for sale now. He said he did not believe that there won't be more houses placed on the remaining property. Mr. Kollat expressed his concerns again about the additional stress on the quality of life with these houses.

Attorney Bradley closed the Public Hearing at 7:10 pm.

Alderman Dickson commented that in looking at a subdivision of that size, the Town could be looking at a big tax benefit.

Alderman Feichter said that he fully believed in the right of the owner to develop the property, but what is needed is affordable housing. The price that these homes are being offered is not affordable housing. He stated that he did not agree with the annexation request.

Alderman Sutton told the Board that it would be very short-sighted to not annex a property that would generate a substantial tax revenue.

A motion was made by Alderwoman Julia Freeman, seconded by Alderman Anthony Sutton to adopt Ordinance No. O-24-21 to approve the annexation of property known as the Queen Farm Subdivision, an unaddressed lot on Sunnyside Road – PIN 8615-98-2217. The motion passed with four ayes (Alderman Chuck Dickson, Alderwoman Julia Freeman, Alderman Anthony Sutton, and Mayor Gary Caldwell) and one nay (Alderman Jon Feichter.)

3. Public Hearing to present the Town of Waynesville Stormwater Program and provide a platform for public input.
 - Olga Grooman, Planner
 - Sam Cullen, Code Enforcement Official
 - Eric Romaniszyn, Haywood Waterways

Town Attorney Martha Bradley opened the Public Hearing at 7:20 pm.

Mr. Eric Romaniszyn, Executive Director Haywood Waterways, told the Board that this was a great collaboration between the Town and Haywood Waterways. The Phase II Stormwater Program is based around the five-year National Pollutant Discharge Elimination System Permit (NPDES) by the State. The purpose of the Permit is to manage stormwater runoff and prevent degradation of Richland Creek and its tributaries. The Town works with Haywood Waterways to create a Storm Water Management Plan that addresses six minimum measures that must be met. One of the requirements is to provide a mechanism for public input on the issues of stormwater once a year.

Some of the issues that are addressed by the Program are sediment, trash, bacteria, and thermal stress. Since 2007 Haywood Waterways has been helping the Town with Public Education and Outreach with postcards, public displays, press releases social media, public presentations, webpages, and a hot line.

Ms. Olga Grooman, Planner, explained to the Board the Town is considered MS4 which is a municipal Separate Sewer System. Ms. Grooman referred the Board to the power point which

gave details of the permit requirements, post construction stormwater management, discharge detection, and pollution prevention.

Mr. Sam Cullen, Code Enforcement Official, worked with Ms. Grooman on the Plan and went over the stormwater control measures with the Board. Pictures were provided of the projects, before and after, that have been completed at Fire Station 1 and Calhoun Road substation, and the Greenway Rain Garden. Mr. Cullen said that areas that have previously been neglected, have been cleaned up and it is a State requirement that a maintenance schedule be set up for these properties. A website for stormwater has been established along with a hot line number that can be called if citizens see violations.

Attorney Bradley asked if anyone wished to speak from the audience.

No one spoke.

The Public Hearing was closed at 8:00 pm.

A motion was made by Alderman Chuck Dickson, seconded by Alderwoman Julia Freeman to accept the Town of Waynesville Stormwater Program as presented. The motion passed unanimously.

F. OLD BUSINESS

4. Refinancing USDA Loan for Fire Station #1

- Town Manager, Rob Hites
- Mr. Bob Jessup, Sanford Holshouser

Manager Hites introduced Mr. Bob Jessup of Sanford Holshouser and asked him to review the process before the December 21, 2021 closing for the refinancing of the USDA Loan for Fire Station 1.

Mr. Jessup told everyone that this was the final steps for the refinancing of the existing USDA Loan for Fire Station 1. With the refinancing of this loan, Truist Bank will lower the interest rate and shorten the term, resulting in substantial savings for the Town in overall debt service. He said there had been previous actions from the Board to give the initial approval to authorize the LGC process, and most of the loan papers have been signed. He asked the Board to adopt Resolution R-09-21, because this will formally go ahead with the refinancing through Truist Bank, approve the final Loan documents, and authorization to complete the closing.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Julia Freeman, to Approve Resolution # R-09-21 approving the Financing Terms and Documents and Refinancing of Existing 2008 USDA Loan. The motion passed unanimously.

4. Amendment to Chapter 44, Solid Waste and Weeds.
 - Town Manager Rob Hites

Manager Hites said that in March the Town will be receiving 4500 rollout recycling containers. The Ordinance that governs garbage and recycling needs to be heavily amended to accommodate the new system of collection. During the November 23, 2021 Board meeting a set of amendments to Chapter 44 was presented for the Board's review. He reviewed the proposed changes and asked that the revised Ordinance be placed on the January 11, 2022 Board meeting for final discussion, amendment, and adoption. Manager Hites said this would give staff time to draft and print the educational materials that will aid the citizens in converting to the new collection system.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to place Ordinance No. O-23-21 on January 11th, 2022 meeting for final discussion, amendment, and adoption. The motion passed unanimously.

G. NEW BUSINESS

6. Proposed Meeting Schedule
 - Jesse Fowler, Assistant Town Manager

Assistant Town Manager Jesse Fowler stated that each year the Board must approve a meeting schedule for the upcoming year. The schedule provides the date and time of each regular meeting. Meeting will begin at 6:00 pm unless otherwise noted. Additional meetings may be called for a Board Retreat in early 2022 and for Budget and Development and discussion in Spring 2022.

A motion was made by Alderman Jon Feichter, seconded by Alderman Anthony Sutton, to approve the Board of Aldermen meeting schedule for the year 2022. The motion passed unanimously.

H. COMMUNICATION FROM STAFF

Manager's Report

- Rob Hites, Town Manager

Manager Hites introduced Ms. Misty Hagood as the new Finance Director for the Town. Ms. Hagood comes from the Town of Elon with 22 years of experience in accounting and Finance. Manager Hites said that Ms. Hagood has the experience to bring the Finance Department up to the standard that is expected by the Board.

Mayor Caldwell welcomed Ms. Hagood on behalf of the Aldermen, and hopes she has a long relationship with the Town.

Manager Hites told the Board that the bids for the Greenway Bridge will be opened on Thursday December 16, 2021 at Public Works. The funding for the bridge will be from the Medford Grant (\$100,000.00) and ARP (\$210,000.00.)

6. Town Attorney Report

- Town Attorney, Martha Bradley

Attorney Bradley stated that the 71 Hazel Street property had been purchased, and hopefully the closing will be before the end of the year.

I. COMMUNICATIONS FROM THE MAYOR AND BOARD

Mayor Caldwell said the Board had received a letter concerning speeding at 75 Town and Country Drive. He asked Police Chief Adams to investigate the flashing speed signs to slow speeders down on that street.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to enter Closed Session at 8:29 pm in accordance with NCGS §143-318.11(6) to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. The motion carried unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter to enter open session at 9:56 pm. The motion passed unanimously.

J. ADJOURN

With no further business, a motion was made by Alderman Anthony Sutton, seconded by Alderwoman Julia Freeman, to adjourn the meeting at 9:57 pm. The motion carried unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Eddie Ward, Town Clerk

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: January 11, 2021**

SUBJECT:

AGENDA INFORMATION:

Agenda Location: Presentations
Item Number: D2
Department: Public Presentation
Contact: Peggy Hannah
Presenter: Peggy Hannah

BRIEF SUMMARY:

Ms. Peggy Hannah has requested to make a presentation to the Board of Aldermen concerning drug courts, addictions, and mental health issues.

MOTION FOR CONSIDERATION:

FUNDING SOURCE/IMPACT:

ATTACHMENTS:

- Copies of arrest records over a 10 week period.

MANAGER'S COMMENTS AND RECOMMENDATIONS:

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: 1/11/2022**

SUBJECT Amendment to Chapter 44, Solid Waste and Weeds.

AGENDA INFORMATION:

Agenda Location: Old Business
Item Number: **E3**
Department: Administration
Contact: Rob Hites
Presenter: **Rob Hites**

BRIEF SUMMARY:

We will be receiving our order to 4500 rollout recycling containers in March. Chapter 44, the ordinance that governs garbage and recycling needs to be heavily amended to accommodate the new system of collection. During your November 23rd and December 14th meetings I presented amendments to Chapter 44 that would accommodate and regulate the use of 65-gallon rollout recycling carts, recycling bins and 95-gallon garbage carts for your review. I have presented the amendments in detail during the previous meetings. Rather than present them for a third time I will respond to any comments, questions or suggestions you may have.

The attached memorandum and draft ordinance are attached for your further review.

We have crossed out language that is no longer applicable or can be redrafted more clearly. We have underlined and yellowed out new language that we borrowed from Maggie Valley's ordinance or drafted by our staff. There are several very important changes that may elicit questions from the public. We have emphasized them with bold font. If the bold font is not yellowed out it is the ordinances' current language. If it is underlined and yellowed out it is new language. On the 14th we presented the most important changes using pictures of the conditions that will be impacted by the amendments. To prepare the citizens for the changes we have designed printed materials that will be advertised in the media and physically placed in the new containers.

MOTION FOR CONSIDERATION:

Review the ordinance, recommend revisions and adopt the amendments to Chapter 44. This will give us the time to draft and print the educational materials that will aid the citizens in converting to the new collection system.

FUNDING SOURCE/IMPACT: General

ATTACHMENTS:

Memorandum, Draft Ordinance, Memorandum of Most Important Sections of Chapter 44.

MANAGER'S COMMENTS AND RECOMMENDATIONS

I recommend that you review the proposed ordinance and make any revisions and adopt the ordinance subject to the revisions.



MEMORANDUM

TO: Mayor and Town Board of Aldermen
FROM: Robert W. Hites Jr.
DATE: 11/23/2021
SUBJECT: Amendment to Solid Waste Ordinance

Introducing rollout containers to our solid waste service requires considerable amendment to Chapter 44, "Solid Waste and Weed Management". I have borrowed language from several mountain towns that use rollout service to ensure that we create a system that considers our unique topography. Rollout containers are designed to be balanced in such a way that the weight of the garbage does not impede the customer's ability to tip and roll it to the curb. The service does require that the containers be pointed lid first so collectors may easily roll and connect them with the hydraulic lifts on the trucks. Once the garbage or recyclables are collected the can is returned to the curb with the lids pointed toward the house. That way one can determine if their garbage has been picked up. Following Maggie Valley, we are purchasing 65-gallon, blue rollout recycling containers and 95-gallon garbage containers. We hope that 95 gallons will provide storage for the equivalent of 4 black garbage bags. It will be much better to provide 2, ninety-five-gallon rollouts than have the customer fill the rollout and leave another 2 or 3 bags beside the curb. We are trying to eliminate bagged waste being scattered by animals. Under the amendments it is not the responsibility of the staff to rake strewn debris from torn up bags.

The Board has not visited the solid waste articles of Chapter 44 since amendments were made in 2010 and 2013. I am going to dedicate the balance of this memo to outlining existing or new language that you should be familiar with as we move into a new way of collecting garbage.

As you read the attached ordinance please note that deleted language from the old ordinance is crossed through. New language is underlined and yellowed out.

Important policy issues are printed in bold print. Existing language will not be yellowed out while the new language will be bold, yellowed out, and underlined.

I will summarize my presentation of November 23rd to emphasize important changes on Tuesday and recommend that you let the proposed amendments lay on the table till the first meeting in January so you reflect on the amendments. We will recommend final approval in January so that we can draft and print the educational materials that will be provided to the public by post card, the town website and materials placed in every container.

The important policies outlined in the draft are as follows:

Sec. 44-42 Garbage Receptacles

- (e) The Town shall retain ownership of rollout containers which are initially provided for solid waste and recycling collection services. The container(s) shall not be removed from the original premises. Repair or replacement of containers for any reason, excluding normal wear and tear, shall be the responsibility of the customer unless the damage necessitating such repair or replacement is determined to be a direct result of the negligence of the town and/or its contractor. The town or its designated contractor shall be notified by the property owner or tenant of the need to repair or replace a receptacle. Containers which require replacement as a result of user abuse and/or negligence (i.e., lost or stolen) will result in the user being charged a replacement fee as set forth in the solid waste fee schedule. The property owner shall be notified of the cost of replacing the receptacles and the requirement for payment before service can be rendered. The town shall bear the cost of one garbage or recycling container. Property owners or tenants may purchase additional containers at the cost established in the fee schedule. **Bagged recyclables are not permitted to be placed on the ground next to the container.**

One of the major reasons for the Town providing large uniform rollout carts is to improve the appearance of the Town by requiring that all garbage and recycling be placed in containers at the curb. One of the requirements of the County and State grants is to eliminate the use of clear plastic recycling bags. In areas where the 65-gallon recycling containers may be impractical the Town will furnish small recycling bins rather than permit clear plastic recycling bags. If residents need additional 95-gallon rollouts, we can provide them.

Sec. 44-44 Placing receptacles for collection.

- (e) No employee of the town shall assist in any way in the performance of what has been set out in this section as the duty of the landlord, tenant, or storekeeper. **Containers are prohibited from being stored in front of the home or residence without an enclosure approved by the public services director constructed to shelter the container from the street. Containers shall be stored in the side or rear of the home or residence. Should the topography of the lot or distance from the dwelling to the more than one hundred (100) feet, front storage may be approved by the public services director on private property adjacent to the right of way, curb or edge of pavement. Occupant shall place the containers at the curb or edge of pavement with the front facing the street to offer safe and easy access for collection.**

The town's policy is for all rollout containers to be placed on the side or rear of the home or business. In cases where the topography or length of the drive is such that it poses a hardship to rollout the containers the public services director may approve an enclosure. The enclosures may be used in townhome units where there is no room for the rollouts. Enclosures should be made of fence type materials with the gap in slats no wider than 2". The enclosures must be placed off the right of way. The customer must take the rollout and place it on the curb for the Town to pick up. The employees will not take the rollouts out of the enclosures for the customers.

- (f) Garbage, trash, empty cartons and similar refuse shall be collected in the downtown municipal service district Hazelwood and Frog Level after 10:00 a.m. on days specified by the director. Such refuse shall only be placed in sealed containers on the sidewalks at the curbside for collection between the hours of 6:00 a.m. and 10:00 a.m. on the days specified for collection. **Recycling shall not be placed in plastic bags and must be placed in approved containers.** Unless the town has announced a special collection schedule due to a holiday or for some other event, it shall be unlawful for any person to place garbage, trash, empty cartons, or similar refuse on the streets or sidewalks in that portion of **Hazelwood Street's commercial area, on Commerce and**

Depot Street and on Main Street lying within the downtown municipal service district at any other time.

As I stated above one of the principal reasons for our grants is to eliminate the use of clear or blue plastic bags from the recycling stream. The Town will provide 65-gallon, blue rollout containers to each residence and business. In cases like the downtown, Hazelwood and Frog Level and townhomes where rollouts cannot be accommodated the Town will provide two sizes of small containers for customers to place their recyclables. We will not be able to pick up recyclables in bags. The MERF will cease to permit them.

- (l) **Exception for backyard collection.** The Town may provide solid waste and recycling backyard services to persons with disabilities provided no one in the residence or employed by the household is physically capable of moving the container from the backyard to the curbside. A doctor's statement of disability will be required to substantiate existence of disability. Backyard solid waste service will consist of only one pickup per week (one garbage, one recycling) **Backyard pickup shall not be provided for trash, large item or leaf pickup. The Town shall reserve the right to verify the need for extending special services and to periodically reassess the need for such services. Civil Penalty. A civil penalty in the amount of \$50 may be issued to any person in violation of this section.**

In special cases where the customer has a physician certified disability that prevents them from rolling their containers from the backyard to the curb and back AND where there is no one in the dwelling capable of rolling the container to the curb the town staff will provide that service for the disabled party. We assume that someone is dragging the 32- gallon containers to the curb presently so we will study the need for town aid very carefully. The backyard pickup service applies only to garbage and recycling rollout containers, not to pickup of yard waste or large item pickup.

Sec. 44-45, Tree limbs, cuttings, shrubbery, leaves; removal of tree stumps

- (a) **The town shall attempt to collect tree limbs, cuttings, shrubbery, and the like from each residence of the town on a regular basis, as set forth by the town pick-up schedule; however, during leaf season, this service will likely be curtailed to allow the collection of leaves. This service shall be limited to the amount of tree limbs, cuttings, shrubbery, and the like that a typical resident shall produce in normal yard work and is not a service provided to a landscaping firm or to a private tree company or to individuals who are paid to trim trees, redo landscaping or perform major yard work. Such debris produced by these firms shall not be collected by the town, and the property owner or tenant shall be responsible for the cost of removal and disposal of such material. Volumes of more than four (4) cubic yards or volumes which will take more than 30 minutes to load will not be collected. In any case, such limbs, cuttings, shrubbery and the like shall not be greater than six feet in length, nor more than three inches in diameter nor of such a weight that it may not be handled by one person. This debris is to be placed along the edge of the owner's or tenant's property nearest the street right-of-way, with cut ends facing the street, and shall not block any sidewalk or be in the street where vehicles might be prohibited from safe passage. Tree limbs and yard trimmings shall be free of trash, dirt, wire or anything which could damage chipping equipment. Lawn trimmings shall be placed in rollout cans not exceeding ninety- five (95) gallons or non- tipper compatible**

containers not exceeding thirty two (32) gallons. All other cans or bags for pickup and the weight of a single container device shall not exceed thirty (30) pounds. Machine-piled material, logs and/or stumps shall not be collected. Material addressed in this section shall not be placed in the street or in gutters or drainage ways so as to inhibit storm drainage or so that the material might wash into or block catch basins.

This section is language from the current ordinance. We are experiencing an increase in commercial landscapers telling customers the town will pick the limbs and debris for free, so they won't have to charge them extra to haul it off. This has not been the case for many years. Some customers are saying that they hired one person to cut the limbs out of entire trees, but they helped so the town should pick it up. Again, this activity is not permitted in the current ordinance. If the Board wishes the town to begin picking up large piles of limbs or trimming in excess of what a property owner could generate doing the work themselves, you need to eliminate this section or amend it to say that the service will be provided by the town at a set rate per load as stated in your annual fee schedule. It is unfair to have one neighbor follow the ordinance and another demand that the town pick the commercial service trimmings at no cost. Please give us guidance on how this should be drafted.

- (b) **The town shall attempt to collect leaves from each residence ~~once weekly on a seasonal basis~~ four (4) times from mid-October until mid-January. Approximate dates of collection per neighborhood will be posted on the Town Website. Outside of this schedule, leaves must be bagged for collection or placed in containers that can be lifted with tippers.** Leaves should be placed to the back of the curb or paved street for collection by the vacuum machine and should be free of limbs, sticks or other debris. Leaves shall not be placed in the street or in gutters or drainageways so as to inhibit storm drainage or so that the leaves might wash into or block catch basins.

The current language states that the town will pick up leaves on a weekly basis. The staff has not been able to provide the service with that frequency for a number of years. Many municipalities provide leaf service on a neighborhood-by-neighborhood schedule four times per leaf season. This schedule allows for more flexibility when the leaves fall slowly or get wet and slows down the crews. The public services department can place a weekly schedule of the areas that will be picked up so that customers may plan their work.

Sec. 44-46. Discarded appliances and similar objects.

(a) It shall be the duty of the property owner who wishes to dispose of discarded appliances such as water heaters, stoves, and any other items too large to be hauled by a regular garbage truck to have items placed ~~curbside~~ **on the front corner of their property nearest to the public street for collection pickup as set forth by the town pick-up schedule.** This is a service provided to residential customers in the normal replacement of home appliances, and shall not be provided to establishments, which are in the business of selling and allowing trade-ins of such appliances, or for purposes of building/site cleanout as defined in section 44-41.

(b) Commercial businesses are required to make private arrangements to dispose of their bulky items. There will be no collection of such items by the town or its contractor. Commercial business bulky items are prohibited from staying on the curb more than two (2) business days.

(c) Items from business establishments operating from a residential unit will not be collected by the town.

(d) The town will not be responsible for the removal of automobile parts, including but not limited to body parts, engine blocks, transmissions, tires or batteries. The proper disposal of these items will be the responsibility of the property owner.

The current ordinance simply states that bulk items be placed on the curb. Our recommended language states that bulk items be placed on the front corner of the customer's property nearest the public street. The town does not currently remove bulky items from commercial business. The new language clarifies the current language.

Sec. 44-47 Collection of Recyclables

The Town has a goal to reduce the amount of waste going into the landfill by recycling items that are permitted by the haywood county solid waste division.

(a) The town will provide recycling collection to residents and commercial businesses that can recycle their waste in sixty-five (65) gallon rollout containers or other size per schedule determined by the public services director. The town shall provide residences and small commercial businesses a sixty-five (65) gallon rollout container or other, approved container. Such containers shall remain the property of the town.

(b) Recyclables can be comingled in the container.

(c) All food, drink, and other residuals shall be rinsed from the recyclable items.

(d) Recycling items shall be determined by the haywood county solid waste division.

(e) The town provides electronic waste (e-waste) recycling that can be picked up at the curb by appointment only. The town shall not pickup computer monitors or televisions with cathode ray screens. Such materials may be taken to haywood county's "Materials Recovery Facility" on Jones Cove Road.

(f) Recyclable's containers shall not be placed on the curb earlier than 5:00 pm the day before the scheduled collection date and shall be removed by midnight on the collection day. Containers by be placed in enclosures approved by the public services director.

Sec. 44-47. Frequency of collection; fees.

(a) Garbage and refuse set out for collection as provided in this article shall be collected by the town or its contractor at such times as may be provided by the ~~mayor and board of aldermen~~ **public services director**.

(b) All refuse accumulated in the town shall be collected, conveyed and disposed of by the town **or its contractor**. No person shall collect or convey refuse over any of the streets or alleys of the town, or dispose of any refuse accumulated in the town, except as follows:

(1) *Actual producers.* This section shall not prohibit the actual producers of refuse, or the owners of premises upon which refuse has accumulated, from personally collecting, conveying and disposing of such refuse, provided such producers or owners comply with the provisions of this chapter and with any other applicable provisions of law.

(2) *Outside collectors.* Nonresidential establishments, ~~at their option, may shall~~ contract with private refuse collection firms for providing dumpsters and collecting, conveying and disposing of such refuse

and **recyclables** provided such private firms comply with the provisions of this chapter and with any other applicable provisions of law.

- (3) *Transporting through town.* This section shall not prohibit collectors of refuse from outside the town from hauling such refuse over town streets, provided such collectors comply with the provisions of this chapter and with any other applicable provisions of the law.
 - (4) *Volunteers/cleanup operations.* This section shall not prohibit volunteers or those who are assigned cleanup duty by the courts or in the course of their work from collecting, conveying and disposing of such refuse, provided such collectors comply with the provisions of this chapter and with any other applicable provisions of the law.
- (c) The schedule of fees for collecting residential and commercial refuse ~~or for the rental or sale of dumpsters~~ shall be determined from time to time by the board of aldermen and set forth in the official schedule of fees as a part of the budget ordinance.

(Ord. No. 31-03, § 96.08, 12-9-2003; __--__--21)

Subsections (a) thru (f) provide for the conversion from clear and blue recycling bags to using 65-gallon rollout containers. Section (a) allows for smaller non-rollout containers to be used where there is no space for the 65-gallon rollouts. The section state that containers must not contain food, liquids and other contents. The types of recyclables are determined by the Solid Waste Division of Haywood County (We will post the list of recyclables in the containers, on our website, and on special mailings that will be sent when the carts are distributed. Section (e) outlines the types of electronic waste the town will pick up at the curb and directs customers to take other types of electronic waste to the “Materials Recovery Facility” on Jones Cove Road.

Sec. 44-48 Removal of Dead Animals, Ashes, Contagious Disease Material, Hypodermic Instruments and Hazardous Waste

- (a) *Dead Animals.* The town will collect small dead animals and wildlife from the publicly maintains (NCDOT; town) rights of way.**
- (b) *Ashes.* It shall be unlawful to place live (hot) or dead (cold) coals in any containers set out for collection.**
- (c) *Contagious disease material.* It shall be unlawful to remove or discard clothing, bedding, mattresses, springs, or other solid waste from homes or other places where highly infectious diseases have occurred. Such solid waste shall not be placed in rollout containers or at the curbside for collection and disposal by the town and/ or its contractor.**
- (d) *Hypodermic instruments.* It shall be unlawful for any person to dispose of or discard any hypodermic syringe, hypodermic needle, or any instrument or device for making hypodermic injections before first breaking, disassembling, destroying or otherwise rendering inoperable and incapable or reuse without safeguarding the disposal thereof by placing in a secure container so as to avoid the possibility of causing injuring to the collection personnel.**
- (e) *Hazardous waste.* It shall be unlawful to place hazardous waste in any container for disposal except as follows:**

(1) Paint cans shall have lids removed and contain no wet paint. Kitty litter, sand or commercial paint solidifiers may be added to solidify material for collection.

(2) Soiled kitty litter, pet waste pads, guinea pig or rat bedding shall be enclosed in double plastic bags and securely tied prior to placing the bag in rollout cart at the curbside for disposal.

(3) Sec. 44-49. Penalties and remedies.

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

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

(6) (1) Beginning 31 days after the notice of violation, ~~\$10 per day~~ \$25.00 per day.

(7) (2) Beginning 60 days after the notice of violation, ~~\$25.00 per day~~ \$50 dollars per day.

(8) (3) Beginning 90 days after the notice of violation, ~~\$50.00 per day~~, \$75 dollars per day and every day thereafter.

(9) Civil penalties shall be assessed by the code administrator and such other inspectors or deputy or assistant inspectors as authorized by the board aldermen.

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

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

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

(13) (Ord. No. 31-03, § 96.02, 12-9-2003; Ord. No. 14-10, 10-26-2010; __--__--21)

Section 44-48 Removal of Dead Animals, Ashes, Contagious Disease Material, Hypodermic Instruments and Hazardous Waste.

This section is new language that defines the town's roll in picking up dead animals and prohibits the disposal of loose hypodermic instruments, contagious disease materials. One of the most frequent injuries to employees is to be snagged by a syringe or exposed to lose medical waste. The current ordinance does not spell this out. Loose diapers, pet excrement, used cat litter and adult diapers are frequently dumped in garbage containers. The proposed ordinance does not prohibit them but requires that they be securely sealed in double bags. Syringes must be disassembled or made inoperable before disposing of them. Many people use a plastic milk container to dispose of syringes after the needle is broken off.

**AN ORDINANCE AMENDING THE WAYNESVILLE CODE OF ORDINANCES
CHAPTER 44 ARTICLES I & II , SOLID WASTE AND WEED MANAGEMENT**

WHEREAS the Town of Waynesville Board of Aldermen adopted chapter 44 to regulate the disposal of garbage, trash, brush, construction debris and recycling and

WHEREAS, the Board of Aldermen have instituted the collection of waste, garbage and recyclables using rollout containers provided and owned by the Town and.

WHEREAS the introduction of rollout containers impacts all areas of the management of solid waste.

**BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE TOWN OF WAYNESVILLE
THAT CHAPTER 44 ARTICLES I & II BE AMENDED AS FOLLOWS.**

ARTICLE I. IN GENERAL

Sec. 44-1. Definitions.

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Building materials. means any material such as lumber, brick, plaster, sheetrock, concrete, carpet, asphalt, shingles, wire mesh, gutters, or other items accumulated as a result of repairs or additions to existing buildings, construction of new buildings or demolition of existing structures. This shall include, but not be limited to, building fixtures, cabinets, and shelving.

Building/site cleanouts. Any accumulated refuse, garbage, or debris, contained or uncontained, in excess of ~~four, 32-gallon~~ two, 95-gallon receptacles, and/or weighing in excess of 60 90 pounds per receptacle, or more than four bulky items deposited at any one time.

Bulky items. Inorganic items of such volume that they cannot be placed in a town approved refuse container for collection, e.g., appliances, furniture and play equipment, box springs, mattresses, lawn equipment or vehicle parts.

Business Trash. Any accumulation of incidental waste products and garbage, other than household trash, which is associated with the operation of stores, offices, and commercial establishments.

Collection. The act of removing solid waste from a point of generation to an approved disposal site.

Container. Any bulk container, detachable container, recyclables container or rollout container as defined herein.

Electronic Waste (E-Waste) Includes computers, monitors, cell phones, radios, televisions, and the like.

Enclosures for Rollout Containers. In cases where the topography of the dwelling or structure is such that rolling the containers may be a danger, the owner may request the public services director permit an enclosure to be constructed and placed at the property line. Such enclosures shall be no higher than four (4) feet and constructed of fencing material with opening between pickets that do not exceed 2". Enclosures shall have at least three sides facing the street. Materials such as plywood, oriented strand board or palates shall not be permitted to be used as enclosure facades. It is the property owner's or tenant's responsibility to move the containers from the enclosure to the curb line for pickup.

Foul Odors. Any offensive odor emanating from, but not limited to, garbage, trash, or waste.

Director means the Public works Services Director.

Garbage. ~~means all solid waste capable of being rapidly decomposed by microorganisms including, but not limited to, animal and vegetable wastes resulting from the handling, preparation, cooking, and consumption of food excluding sewerage and human waste.~~ A by-product of animal or vegetable foodstuffs resulting from the handling, preparation, cooking, and consumption of food or other matter which is subject to decomposition, decay, and/or the generation of noxious odors, or which during and/or after decay may serve as breeding or feeding material for flies, insects and/or animals.

Hazardous waste. Potentially dangerous by-products which cannot be handled, treated, or disposed of without special precautions. Hazardous waste includes ignitable, corrosive, reactive, and toxic waste such as acetone, gasoline, industrial metal, alkaline cleaners, acids, batteries, cyanide, chlorine, arsenic, pesticides waste, paint, caustics, infected materials, offal, fecal matter (human or animal), and explosives.

Household trash. Accumulation of sweepings, rags, or other material of any kind, other than garbage and recyclables, which is usually attendant to housekeeping.

Industrial waste. All waste, (except hazardous waste) including solids, semi-solids, sludge, and liquids resulting directly from industrial, processing or manufacturing operations that require special handling.

Inspector. The person designated by the town manager to perform the duties and responsibilities assigned by this chapter.

Junk/Bulky items. Any item creating a littered condition, including but not limited to household or office furnishings, household appliances, mattresses, box springs, lawn equipment or other similar items (see definition of Bulky Items above) which are either in a wholly or partially rusted, wrecked, junked dismantled, or inoperable condition.

Recyclables. ~~means materials designated as capable of being sorted, processed, transported, and sold to markets for the remanufacture of like or different products~~ Newspapers and accompanying inserts, magazines, junk mail, cardboard, glass, food and beverage containers,

plastic soft drink bottles and liquor bottles, spiral paper cans, aluminum, bimetal cans, steel and tin cans, and other items determined by Solid Waste Division of Haywood County to be recyclable.

Recyclables Container. A container designed and authorized by the town solely for the purpose collecting recyclables. It shall be subject to the regulations pertaining to recyclables.

Rollout container. An authorized wheeled garbage and recycling container approved by the town for use in collection and disposal of garbage and recyclables.

Refuse. Solid waste material consisting of garbage, trash, and other materials including contaminated paper, rags, cloth, boxes, contaminated cardboard, wood, rubber, leather, metal cans, metals, glass, dust, and mineral matter.

Regular collection. All collection services offered recurrently which include the collection of county approved recyclables and vegetable and food wastes in a manner safe to public health.

Separate collection. All collection of specifically defined materials not associated with regular collection practices such as large items including furniture, appliances, play equipment, and lawn maintenance equipment pickup.

Town approved refuse container. A dumpster, ninety-five (95) gallon rollout garbage containers, sixty-five (65) gallon rollout recycling containers, garbage and recycling bins sized for areas where rollout containers cannot be placed. Alternative containers to rollout shall be approved by the Public Services Director or his designate. town inspector or defined in town regulations.

Trash. All refuse resulting from the use and maintenance of property, regardless of the nature of the activity thereon, except garbage.

White goods. Inoperative and discarded residential metal, refrigerators, ranges, water heaters, freezers, and other similar domestic large appliances

Yard waste. Means leaves, grass trimmings, shrubs or shrub trimmings, tree trimmings and other plant waste other than garbage.

(Ord. No. 31-03, § 96.01, 12-9-2003; Ord. No. O-02-13, 2-12-2013; Ord. No. ___ - ___-21

Cross reference(s)—Definitions generally, § 1-2.

Sec. 44-2. Accumulation of solid wastes prohibited.

~~(a) No person may cause, suffer, or permit refuse to accumulate or remain on premises under his control except for collection by the town or some other licensed refuse hauler. It shall be the duty of all owners, proprietors, or persons in charge of every business of every kind and description, and of every office, private residence, and all other buildings or premises to keep such free from all refuse, building materials, bulky items, hazardous waste, and~~

industrial waste. Subsections (b) through (d) of this section are not intended to limit the generality of the foregoing.

- (a) It shall be unlawful for any person to endanger the public health, safety, and welfare, through neglect of property by causing or allowing unsightly garbage, weeds and grass, yard waste, foul odor, dead animals, junk, unsecured appliances, or potentially dangerous devices to remain on or emanate from property, or to discard or abandon waste on public or private property, vacant lots or any pond, stream or body of water or banks thereof within the Town limits.
- (b) It shall be the responsibility of the general contractor to see that all construction and demolition contractors keep the site in as reasonably clean and litter-free condition as possible for a construction or demolition site. All loose debris, paper, building material waste, scrap building materials and other trash produced by those working on the site shall be containerized or disposed of in any reasonable manner by the contractor. Dirt, mud, construction materials or other debris deposited upon any public or private property because of construction or demolition shall be immediately removed by the contractor.
- (c) All commercial establishments shall, particularly with respect to their loading and unloading areas, store their refuse in containers to eliminate wind driven debris and litter in and about their establishments. Approved methods of containerization include refuse receptacles, bulk containers, and all Town approved refuse containers. Spillage and overflow shall be immediately cleaned up by the establishment when and as it occurs unless caused by the town when servicing approved containers.
- (d) Parking lots shall be maintained by the person in possession of the lot in a clean, litter-free manner, with all trash generated therein containerized and prevented from spreading to adjoining property. It shall be the responsibility of the person in possession of the parking lot to collect the refuse and trash deposited on the lot and place this material in containers serviced by the town or a private contractor.
- (e) No person shall interfere with the contents of any receptacle or container set out for removal by the Town and/or unless by express written permission by the Town.
- (f) It shall be unlawful to interfere with or hinder town collection personnel and/or the town's authorized contractor in the performance of their duties.
- (g) The town shall have the authority to require additional containers if necessary, to provide proper containerization of solid waste.
- (h) Ninety-five-gallon rollout garbage containers and sixty-five (65) gallon recycling containers furnished by the Town and/or its contractor shall be used solely for the storage or garbage and recycling only. The Town shall provide each residence with one (1) ninety-five-gallon container (i.e., green) for garbage and one (1) sixty-five-gallon recycling container (i.e., blue). In cases where a residence or business cannot locate such containers on their property due to lack of space or the inability of the Town to access the property with

vehicles equipped with hydraulic lifts, the public services director may permit alternative containers.

(Ord. No. 31-03, § 96.03, 12-9-2003; ___--___--21

Sec. 44-3. Nonresident use of collection services prohibited.

~~It shall be unlawful for any person not a resident of the town to deposit or cause to be deposited for collection by the town any garbage, trash, or refuse in any container within the town, or to place any brush, limbs, or debris along the street side for collection or to deposit or cause to be deposited any garbage, trash, or refuse in the town landfill area.~~

It shall be unlawful for any person knowingly to permit the use of his or her receptacles or any other portion of his or her property by any other person for the disposal of any construction debris, business trash, garbage, hazardous refuse, household trash, industrial waste, litter, refuse, solid waste, yard waste or any other kind of trash or rubbish brought into the town from a point outside the town for the purpose of disposing of the materials to become subject to pick up by the Town.

(Ord. No. 31-03, § 96.11, 12-9-2003; ___--___--21

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

As provided in G.S. 14-399 and 14-399.1, no person may place, discard, throw, drop, dump, or deposit, or cause to be placed, discarded, thrown, dropped, dumped, or deposited any litter, trash, or refuse:

- (1) On any public street or sidewalk within the town or on any property owned or operated by the town or on any other public property, except in properly designated receptacles.
- (2) On any private property, either owned by the person or owned by another person, regardless of whether permission is granted.
- (3) In any stream or within a **thirty (30) foot stream buffer** or any body of water.

(Ord. No. 31-03, § 96.12, 12-9-2003; ___--___-- 21

ARTICLE II. COLLECTION AND DISPOSAL¹

Sec. 44-41. Prohibited items.

The town shall not collect building materials, hazardous wastes, industrial wastes, or building/site cleanouts, as defined in section 44-1, tires or heavy automotive parts, and the same

¹State law reference(s)—Authority to require the use of solid waste collection services, G.S. 160A-317(b).

shall not be left at curbside or at any other location for collection by town personnel and equipment. Items placed for removal shall be limited to ~~what two people can lift~~ items **that do not exceed six (6) feet in width, four (4) feet in height and weight no more than one hundred (100) lbs.**

(Ord. No. 31-03, § 96.04, 12-9-2004; Ord. No. O-02-13, 2-12-2013; __ -- __--21

Sec. 44-42. Garbage receptacles.

- (a) ~~All householders and proprietors of business houses shall provide receptacles for all garbage and refuse for removal by the street/sanitation department.~~ **All residential customers shall be provided receptacles for garbage, trash, and recyclables for collection by the town and/or its agent.**
- (b) ~~Residential containers. Garbage shall be stored in a container of a type approved by the director. Every container shall be constructed of metal or equally durable material in such a manner as to be strong, watertight, not easily corrodible, fly proof, and rodent proof; shall have a capacity of not more than 32 gallons; shall have handles designed for lifting and shall have a fly tight cover which shall be always kept in place, except when garbage or other refuse is being deposited in or removed from container.~~ **Containers and their surrounding areas shall be kept in a sanitary condition by the property owner, resident, and/or tenant. It is the responsibility of the owner/tenant to keep garbage and trash in the container and clean up any garbage that has been scattered around the container.**
- (c) ~~Dumpster containers. Commercial dumpster containers shall be of steel construction, and of a size and of such design and construction as to facilitate mechanical unloading by collection equipment operated by a town or private commercial hauler.~~ Each dumpster shall be equipped with a tight-fitting cover which shall be always kept in place when the receptacle is not being filled or emptied. These containers may be used for cold ashes or garbage, but smoldering ashes shall not be mixed with garbage. If one receptacle is not sufficient to hold the quantity of garbage or refuse accumulated between collections, a sufficient number of similar receptacles shall be provided, or the **Public Services Director** shall require more frequent collections from the establishment. The customer shall be responsible for keeping the area immediately around the dumpster clean and free of refuse.
- (d) It shall be unlawful for any person to maintain boxes, bins, or any type of container located on the sidewalks within the fire district of the town inconsistent with the provisions of this chapter.
- (e) **The Town shall retain ownership of rollout containers which are initially provided for solid waste and recycling collection services. The container(s) shall not be removed from the original premises. Repair or replacement of containers for any reason, excluding normal wear and tear, shall be the responsibility of the customer unless the damage necessitating such repair or replacement is determined to be a direct result of the negligence of the town and/or its contractor. The town or its designated contractor shall be notified by the property owner or tenant of the need to repair or replace a receptacle. Containers which require**

replacement as a result of user abuse and/or negligence (i.e., lost or stolen) will result in the user being charged a replacement fee as set forth in the solid waste fee schedule. The property owner shall be notified of the cost of the receptacles and the requirement for payment before service can be rendered. The town shall bear the cost of one garbage or recycling container. Property owners or tenants may purchase additional containers at the cost established in the fee schedule. **Bagged recyclables are not permitted to be placed on the ground next to the container.**

(Ord. No. 31-03, § 96.05, 12-9-2003; Ord. No. 7-08, 2-12-2008; Ord. No. 4-09, 3-24-2009; Ord. No. 0-02-13, 2-12-2013; __--__ 21

Sec. 44-43. Preparation of garbage.

- (a) **Garbage, trash, and refuse, as defined in section 44-1, shall be placed in such manner as to prevent the same from being scattered upon the streets by wind, animals, or other causes.**
- (b) ~~Commingled recyclables shall be placed in blue or clear bags, separate from garbage/trash receptacles. Recyclables must be weighted and/or secured in some proper and efficient manner to prevent the same from being scattered upon the streets by wind, animals, or other causes. Cardboard must be broken down, stacked flat and secured from being scattered upon the streets by wind, animals, or other causes.~~
- (b) **All garbage must be bagged and fit inside the cart with the lid fully closed. The town will not be responsible for garbage that is scattered by animals, wind and the like if the cart is overflowing and the lid is not secure.**
- (c) **Garbage shall be drained on all free liquids and the like closed to prohibit rain from entering the container.**
- (d) **It shall be unlawful to place yard waste, rocks, dirt, heavy metals, automotive or lawn equipment, concrete, construction waste, hazardous waste, or medical waste for collection by the town and/ or contractor . Yard waste and bulky items shall be placed at the curb for collection as specified in other sections of this chapter.**

(Ord. No. 31-03, § 96.06, 12-9-2003; Ord. No. 0-02-13, 2-12-2013; __--__ 21

Sec. 44-44. Placing receptacles for collection.

- (a) ~~It shall be the duty of each householder or proprietor of a business house to see that all garbage and refuse receptacles and the contents are set out at such place and time as may be fixed by the board of aldermen and to remove the receptacles after collection. Garbage shall be placed in approved containers. It shall be the responsibility of each resident/or property owner to set out garbage and recycling containers at curbside by 7:00 am on the fixed collection day. Containers may not be placed on the curb before 5:00 pm on the day~~

prior to the scheduled collection date and shall be removed by midnight on the day of collection.

- (b) It shall be unlawful for any person who is a resident of the town or any person engaged in any business of any nature in the town to deposit any boxes, cans, trash, debris, garbage, or refuse of any other nature at any point on the streets or sidewalks of the town for collection by the town trucks except immediately adjacent to the premises owned by or otherwise in the possession of the town resident or the firm or corporation engaged in business in the town.
- (c) In the placement of garbage, trash, empty cartons, paper, and other refuse for pickup and collection by the street/sanitation department it shall be unlawful to place the same except immediately adjacent to the curb or edge of pavement
- (d) It shall be the duty of the landlord, tenant, or storekeeper to not permit a receptacle to remain on the street right-of-way for a period not to exceed twelve (12) hours after the receptacle is emptied by the street/sanitation division.
- (e) ~~No employee of the town shall assist in any way in the performance of what has been set out in this section as the duty of the landlord, tenant, or storekeeper.~~ **Containers are prohibited from being stored in front of the home or residence without being stored in an enclosure approved by the public services director constructed to shelter the container from the street. Containers shall be stored in the side or rear of the home or residence. Should the topography of the lot or distance from the dwelling to the more than one hundred (100) feet, front storage may be approved by the public services director on private property immediately adjacent to the public right of way. It is the duty of the occupant to place the containers at the curb or edge of pavement to provide safe and easy access for collection.**
- (f) Garbage, trash, empty cartons, and similar refuse shall be collected in the Downtown Municipal Service District, Hazelwood and Frog Level after 10:00 a.m. on days specified by the director. Such refuse shall only be placed in containers on the sidewalks at the curbside for collection between the hours of 6:00 a.m. and 10:00 a.m. on the days specified for collection. **Recycling shall not be placed in plastic bags and must be placed in approved containers.** Unless the town has announced a special collection schedule due to a holiday or for some other event, it shall be unlawful for any person to place garbage, trash, empty cartons, or similar refuse on the streets or sidewalks in that portion of **Hazelwood Street's commercial area, on Commerce and Depot Street** and on Main Street lying within the downtown municipal service district at any other time.
- (g) **It shall be unlawful for any resident, merchant, businessperson, or employee thereof to place garbage, trash, or similar refuse in any pole-mounted or sidewalk litter receptacles when such refuse was generated by such resident or business and is of such volume that it compromises over ten (10) percent of the capacity of such litter receptacle.**

-
- (h) All garbage and recycling carts' wheels must be facing the house and placed within three (3) feet of the curb to provide easy access for collection. Town employees will not remove containers from enclosures.
 - (i) The garbage and recycling cart requires two (2) feet of space between each cart and between obstructions such as mailboxes, parked cars, utility poles and the like.
 - (j) Containers shall not be placed on public sidewalks or streets or in such a manner as to obstruct the vision of motorists or the free flow of traffic or drainage along any public street.
 - (k) Containers are not to be removed from the premises to which they are assigned except by the town or its contractor.
 - (l) Exception for backyard collection. The Town may provide solid waste and recycling backyard services to persons with disabilities provided no one in the residence or employed by the household is physically capable of moving the container from the backyard to the curbside. A doctor's statement of disability shall be required to substantiate the existence of a disability. Backyard solid waste service will consist of only one pickup per week (one garbage, one recycling) Backyard pickup shall not be provided for trash, large item, or leaf pickup. The town shall reserve the right to verify the need for extending special services and to periodically reassess the need for such services. Civil Penalty. A civil penalty in the amount of \$50 may be issued to any person in violation of this section.

(Ord. No. 31-03, § 96.07, 12-9-2003; __--__--21)

Sec. 44-45. Tree limbs, cuttings, shrubbery; leaves; removal of tree stumps.

- (a) The town shall attempt to collect tree limbs, cuttings, shrubbery, and the like from each residence of the town on a regular basis, as set forth by the town pick-up schedule; however, during leaf season, this service will likely be curtailed to allow the collection of leaves. This service shall be limited to the amount of tree limbs, cuttings, shrubbery, and the like that a typical resident shall produce in normal yard work and is not a service provided to a landscaping firm or to a private tree company or to individuals who are paid to trim trees, redo landscaping, or perform major yard work. Such debris produced by these firms shall not be collected by the town, and the property owner or tenant shall be responsible for the cost of removal and disposal of such material. Volumes of more than four (4) cubic yards or volumes which will take more than thirty (30) minutes to load will not be collected. In any case, such limbs, cuttings, shrubbery, and the like shall not be greater than six (6) feet in length, nor more than three (3) inches in diameter nor of such a weight that it may not be handled by one person. This debris is to be placed along the edge of the owner's or tenant's property nearest the street right-of-way, with cut ends facing the street, and shall not block any sidewalk or be in the street where vehicles might be prohibited from safe passage. Tree limbs and yard trimmings shall be free of trash, dirt, wire, or anything which could damage chipping equipment. Lawn trimmings shall be placed in rollout cans not exceeding ninety- five (95) gallons or non- tipper compatible containers not exceeding thirty-two (32) gallons. Containers that cannot be picked up by

the town's hydraulic lifts shall not exceed 30 pounds. Machine-piled material, logs and/or stumps shall not be collected. Material addressed in this section shall not be placed in the street or in gutters or drainage ways so as to inhibit storm drainage or so that the material might wash into or block catch basins.

- (b) **The Town shall attempt to collect leaves from each residence ~~once weekly on a seasonal basis~~ no less than **four (4) times** from mid-October until mid-January. **Approximate dates of collection per neighborhood will be posted on the Town Website. Outside of these dates, leaves must be bagged for collection or placed in containers that can be lifted with hydraulic lifts.** Leaves should be placed on the back of the curb or paved street for collection by the vacuum machine and should be free of limbs, sticks or other debris. Leaves shall not be placed in the street or in gutters or drainageways so as to inhibit storm drainage or so that the leaves might wash into or block catch basins.**
- (c) **The Town shall at no time remove or assist in the removal of stumps resulting from the clearing of property of any kind. It shall be unlawful for any person to place or deposit or to otherwise cause to be placed or deposited any tree stump in the town landfill at any time.**
- (d) In situations where there is danger for town employees or concern for the safety of the motoring public, the director, at his discretion, may authorize the collection of any permitted materials from a point off the street rights-of-way and out of the path of vehicular traffic.

(Ord. No. 31-03, § 96.09, 12-9-2003; Ord. No. O-02-13, 2-12-2013; __ -- __ --21

Sec. 44-46. Discarded appliances and similar objects.

(a) It shall be the duty of the property owner who wishes to dispose of discarded appliances such as water heaters, stoves, and any other items too large to be hauled by a regular garbage truck to have items placed ~~curbside~~ **on the front corner of their property nearest to the public street for collection pickup as set forth by the town pick-up schedule.** This is a service provided to residential customers in the normal replacement of home appliances. ~~and shall not be provided to establishments, which are in the business of selling and allowing trade ins of such appliances, or for purposes of building/site cleanout as defined in section 44-41.~~

(b) Commercial businesses are required to make private arrangements to dispose of their bulky items. There will be no collection of such items by the town or its contractor. Bulky items deposited on town rights of way are prohibited from staying on the curb more than two (2) business days.

(c) Items from business establishments operating from a residential unit will not be collected by the town.

(d) The town will not be responsible for the removal of automobile parts, including but not limited to body parts, engine blocks, transmissions, tires, or batteries. The proper disposal of these items will be the responsibility of the property owner.

Sec. 44-47 Collection of recyclables.

The Town has a goal to reduce the amount of waste going into the landfill by recycling items that are permitted by the Haywood County Solid Waste Division.

- (a) The Town will provide recycling collection to residents and commercial businesses that can recycle their waste in sixty-five (65) gallon rollout containers or town supplied bins per schedule determined by the public services director. The Town shall provide residences and small commercial businesses a sixty-five (65) gallon rollout container or other, approved containers. Such containers shall remain the property of the town.**
- (b) Recyclables may be comingled in the container.**
- (c) All food, drink, and other residuals shall be rinsed from the recyclable items.**
- (d) Recycling items shall be determined by the Haywood County Solid Waste Division.**
- (e) The Town provides electronic waste (e-waste) recycling that can be picked up at the curb by appointment only. The Town shall not pickup computer monitors or televisions with cathode ray screens. Such materials may be taken to Haywood County's "Materials Recovery Facility" on Jones Cove Road.**
- (f) Recyclable's containers shall not be placed on the curb earlier than 5:00 pm the day before the scheduled collection date and shall be removed by midnight on the collection day. Containers may be placed in enclosures approved by the public services director.**

Sec. 44-47. Frequency of collection; fees.

- (a) Garbage and refuse set out for collection as provided in this article shall be collected by the town or its contractor at such times as may be provided by the ~~mayor and board of aldermen~~ **Public Services Director**.
- (b) All refuse accumulated in the town shall be collected, conveyed, and disposed of by the town **or its contractor**. No person shall collect or convey refuse over any of the streets or alleys of the town, or dispose of any refuse accumulated in the town, except as follows:
 - (1) *Actual producers*. This section shall not prohibit the actual producers of refuse, or the owners of premises upon which refuse has accumulated, from personally collecting, conveying, and disposing of such refuse, provided such producers or owners comply with the provisions of this chapter and with any other applicable provisions of law.
 - (2) *Outside collectors*. Nonresidential establishments, ~~at their option, may shall~~ contract with private refuse collection firms for providing dumpsters and collecting, conveying, and disposing of such refuse and **recyclables** provided such private firms comply with the provisions of this chapter and with any other applicable provisions of law.

-
- (3) *Transporting through town.* This section shall not prohibit collectors of refuse from outside the town from hauling such refuse over town streets, provided such collectors comply with the provisions of this chapter and with any other applicable provisions of the law.
- (4) *Volunteers/cleanup operations.* This section shall not prohibit volunteers or those who are assigned cleanup duty by the courts or in the course of their work from collecting, conveying, and disposing of such refuse, provided such collectors comply with the provisions of this chapter and with any other applicable provisions of the law.
- (c) The schedule of fees for collecting residential and commercial refuse ~~or for the rental or sale of dumpsters~~ shall be determined from time to time by the board of aldermen and set forth in the official schedule of fees as a part of the budget ordinance.
- (Ord. No. 31-03, § 96.08, 12-9-2003; __--__--21)

Sec. 44-48 Removal of Dead Animals, Ashes, Contagious Disease Material, Hypodermic Instruments and Hazardous Waste

- (a) **Dead Animals.** The town will collect small dead animals and wildlife from the publicly maintained (NCDOT; town) rights of way.
- (b) **Ashes.** It shall be unlawful to place live (hot) or dead (cold) coals in any containers set out for collection.
- (c) **Contagious disease material.** It shall be unlawful to remove or discard clothing, bedding, mattresses, springs, or other solid waste from homes or other places where highly infectious diseases have occurred. Such solid waste shall not be placed in rollout containers or set at the curbside for collection and disposal by the town and/ or its contractor.
- (d) **Hypodermic instruments.** It shall be unlawful for any person to dispose of or discard any hypodermic syringe, hypodermic needle, or any instrument or device for making hypodermic injections before first breaking, disassembling, destroying or otherwise rendering inoperable and incapable or reuse without safeguarding the disposal thereof by placing in a secure container so as to avoid the possibility of causing injuring to the collection personnel.
- (e) **Hazardous waste.** It shall be unlawful to place hazardous waste in any container for disposal except as follows:
- (1) **Paint cans shall have lids removed and contain no wet paint. Kitty litter, sand or commercial paint solidifiers may be added to solidify material for collection.**
 - (2) **Soiled diapers, kitty litter, pet waste pads, or guinea pig/rat bedding shall be enclosed in double plastic bags and securely tied prior to placing the bag in rollout cart at the curbside for disposal.**

Sec. 44-49. Penalties and remedies.

- (a) A violation of any of the provisions of this chapter shall constitute a misdemeanor, punishable as provided in G.S. 14-4.
- (b) A violation of any of the provisions of this chapter shall also subject the offender to civil penalties in the follow amounts:

Beginning 31 days after the notice of violation, ~~\$10 per day~~ \$25.00 per day.

Beginning 60 days after the notice of violation, ~~\$25.00 per day~~ \$50 dollars per day

Beginning 90 days after the notice of violation, ~~\$50.00 per day~~ \$75 dollars per day and every day thereafter.

Civil penalties shall be assessed by the code administrator and such other inspectors or deputy or assistant inspectors as authorized by the Board of Aldermen.

- (c) The Town may seek to enforce this chapter through any appropriate equitable action.
- (d) Each day that a violation continues after the offender has been notified of the violation shall constitute a separate offense.
- (e) The Town may seek to enforce this chapter by using any one or any combination of the remedies in subsections (a) through (d) of this section.

(Ord. No. 31-03, § 96.02, 12-9-2003; Ord. No. 14-10, 10-26-2010; __--__--21)

Adopted this ___ day of _____ 2022.

Town of Waynesville

Mayor Gary Caldwell

ATTEST:

Eddie Ward, Town Clerk

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: January 11, 2022**

SUBJECT: Carolina Technologies Integrated Systems Proposal for Board Room Upgrade

AGENDA INFORMATION:

Agenda Location: Old Business
Item Number:
Department: Administration
Contact: Jesse Fowler, Assistant Town Manager
Presenter: Jesse Fowler, Assistant Town Manager

BRIEF SUMMARY:

At the request of the Board of Aldermen, Alderman Feichter, Alderman Sutton and I met with Carolina Technologies in order to reevaluate their original quote to upfit the audio and visual equipment in the Board room. I have attached this quote for your reference along with notes that describe the purpose of each component.

This new system will include a new control booth in the back of the Board Room, new 22" monitors on the dais and the clerks table, new speakers for the Board Room and the overflow mezzanine for larger crowds, 1 new television for the Board Room and 1 new television for the overflow mezzanine. With these upgrades, presenters will be able to remote into our system in order to give their presentations from their own laptops rather than using our computer. This system will also include two cameras inside of the Board Room that will allow future zoom conferencing during meetings and will allow overflow crowds in the mezzanine to be able to see what is going on in the Board Room. It is possible for these cameras to stream on the internet. However, internet streaming would have to be approved by the Board of Aldermen at a later date and staff will not stream public meetings without the direction of the Board of Aldermen.

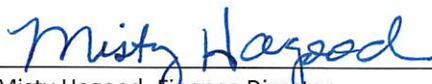
This current system is currently quoted at \$60,444.44. This quote has passed the 30-day price guarantee time frame. We are unclear if Carolina Technologies will honor this price or if the price will increase slightly. However, we have a surplus of \$58,153 within our Data Processing and Supplies account that will cover any changes in price. It is my estimate that any price fluctuations will not exceed \$70,000.

MOTION FOR CONSIDERATION:

Motion to approve the contract under the condition that any adjustment in price not-exceed a total contract value of \$70,000

FUNDING SOURCE/IMPACT:

Not to exceed \$70,000 from previously appropriated funds within Data Processing Supplies 104120-532930


Misty Hagoood, Finance Director

1/5/2021
Date

ATTACHMENTS:

- Carolina Technologies Integrated Systems Proposal
- Bulleted Explanation of Integrated Systems Proposal

Explanation of Integrated Systems Proposal

- A.** Let's outside users present from their own laptop, tablet, or device.
- B.** These are two cameras.
- C.** These are receivers for the cameras that allow us to extend the HDMI to the controls at the back of the room.
- D.** These allows us to extend the HDMI output to various places in the room by converting the HDMI signal into a data signal that can be sent over an ethernet connection
- E.** This takes the HDMI inputs and switch which one outputs to the different displays. For example, this will allow us to change whether the presenter, the cameras, or the main computer display will be shown on the TVs.
- F.** Digital signal processors. This allows us to combine each audio input into one signal.
- G.** Digital signal processors. This allows us to combine each audio input into one signal.
- H.** HDMI Cables (6.5ft)
- I.** HDMI Cables (2.3ft)
- J.** These allow us to take one HDMI signal and split it to go to two different places. This allows us to split the HDMI signal to the TV and the dais and allows us to split the signal to each monitor on the dais.
- K.** These allow us to take one HDMI signal and split it to go to two different places. This allows us to split the HDMI signal to the TV and the dais and allows us to split the signal to each monitor on the dais.
- L.** Allows us to amplify the speakers
- M.** These are the speakers.
- N.** This is the receiver for the wireless mic at the podium
- O.** This is the wireless mic on the podium
- P.** This allows us to position the cameras through a remote. This remote is infrared to the cameras, and this is an infrared extender that allows us to change the angle of the cameras without having to walk around the room.
- Q.** These are the mounts for the TVs
- R.** These are two 75" TVs
- S.** These go on the wall behind the TVs. This is an electrical box that takes in high voltage from the wall and allows us to plug in low voltage from the TV
- T.** This is a cabinet that will house all of the equipment in the back of the room.
- U.** 9 monitors for the Dais and the Clerk's table



Integrated Systems Proposal

Town of Waynesville

Electronic Office

1400 Sweeten Creek Road
Asheville, NC 28803

Prepared by:
Carolina Technologies and
Consulting, LLC

EJohnson@CarolinaTechnologies.com
(828) 274-1918

ELECTRONIC OFFICE - TOWN OF WAYNESVILLE

MEDIA ROOM

- 1
A Solstice Pod
Mersive Pod
The Solstice Pod is our turnkey wireless collaboration solution that combines our award-winning Solstice software running on an optimized hardware platform. The Solstice Pod fits any meeting space from conference rooms to huddle spaces and classrooms and offers our most extensive collaboration and screen sharing experience.
- 2
B Atlona® PTZ Camera with HDBaseT Output
Atlona AT-HDVS-CAM-HDBT
- 2
C Atlona 4K Ultra HD HDBaseT Receiver - 328 ft
Atlona AT-UHD-EX-100CE-RX
Atlona 4K Ultra HD HDBaseT Receiver - 328 ft
- 6
D 4K/UHD HDMI HDBaseT TX/RX with Ethernet, Control, and PoE
Atlona AT-UHD-EX-100CE-KIT
The Atlona® AT-UHD-EX-100CE-KIT is an HDBaseT transmitter/receiver kit for HDMI transmission up to 330 feet (100 meters) over category cable with Ethernet pass through, RS-232 and IR control, plus Power over Ethernet (PoE). This extender kit transmits video signals up to 4K/UHD @ 60Hz with embedded multi-channel audio and remote 48V power for the receiver. Additionally, this kit extends Ethernet, RS-232, and 12-volt based IR control commands. This kit is HDCP 2.2 compliant and supports EDID communication. Both transmitter and receiver feature quarter rack width metal enclosures for easy rack mounting with rear panel I/O ports for uncluttered wire management. Use with an optional AT-IR-CS-RX
- 1
E Video Switcher
ATEM Mini Extreme
True professional model adds total of 8 HDMI inputs, 16 way multiview, 4 ATEM Advanced Chroma keys, SuperSource with 4 extra DVE's, 2 HDMI outputs, 2 USB ports and a more powerful control panel.
- 1
F Tesira Forte AVB
Forte AVB
*12 mic/line level inputs, 8 mic/line level outputs
Gigabit Ethernet port
RS-232 serial port
4-pin GPIO
2-line OLED display with capacitive-touch navigation
Rack mountable (1RU)
System configuration and control via Ethernet
Internal universal power supply
Signal processing via intuitive software allows configuration and control for signal routing, mixing, equalization, filtering, and delay
CE marked, UL listed, and RoHS compliant
Covered by Biamp Systems' five-year warranty*

- 1 **G** Tesira EX-IN
EX-IN
*Four channels of balanced mic or line level input
0 – 66dB gain, adjustable in 6dB increments
+48V Phantom Power
-100 to +12dB fader range for level
Audio and control networking over AVB/TSN
Powered by PoE+
Plug-in barrier strip connectors
Front panel LEDs for device status indications
Half-rack chassis
RoHS compliant and AES grounded
Covered by Biamp Systems' five-year warranty*
- 10 **H** Binary B4 Series 4K Ultra HD High Speed HDMI Cable with Ethernet - 2m (6.5 ft)
Binary B4-HD-2
Binary B4 Series 4K Ultra HD High Speed HDMI Cable with Ethernet - 2m (6.5 ft)
- 10 **I** Binary B4 Series 4K Ultra HD High Speed HDMI Cable with Ethernet - .7m (2.3 ft)
Binary B4-HD-.7
Binary B4 Series 4K Ultra HD High Speed HDMI Cable with Ethernet - .7m (2.3 ft)
- 2 **J** Atlona 4K HDR 2-Output HDMI Distribution Amplifier
Atlona AT-RON-442
Atlona 4K HDR 2-Output HDMI Distribution Amplifier
- 2 **K** 4K HDR HDMI Distribution Amplifier
Atlona AT-RON-448
The Atlona Rondo™ is a 1x2, 1x4, or 1x8 HDMI distribution amplifier for high dynamic range (HDR) formats. It is HDCP 2.2 compliant and supports signals up to 4K @ 60 Hz 4:4:4, as well as HDMI data rates up to 18 Gbps.
- 2 **L** Episode 70V IP-Enabled Amplifier | 150W x 2 Channels
Episode ESA-70V2CH-150W
Episode 70V IP-Enabled Amplifier | 150W x 2 Channels
- 9 **M** Episode 800 Commercial Series 70-Volt In-Ceiling Speaker
Episode ECS-800-IC-6
- 1 **N** Sense UHF Wireless Microphone Receiver
Sense SE-350-WR-1CHD
This wireless receiver offers premium features and more for your most common wireless systems. With channel grouping, true diversity reception and hi/low transmission powers, it's perfect for training rooms, auditoriums, and stage performances.
- 1 **O** Sense™ UHF Wireless Condenser Microphone
Sense SE-350-WT-HAND
This handheld microphone is a great companion for our wireless receiver. Its superior audio pickup ensures you get the sound you want, and its advanced build quality promises excellence for a long time to come. It's easy to set up, too, so it's perfect for training rooms, auditoriums, and stage performances.
- 1 **P** Episode Electronics Tabletop Mount Plasma/LED-Proof IR Sensor Kit
Episode EE-IR-RCVR-TT-KIT
Episode Electronics Tabletop Mount Plasma/LED-Proof IR Sensor Kit
- 2 **Q** Strong Contractor Series Universal Articulating Dual Arm Mount - 47-90" Displays
Strong SM-CS-ART2-XL
Strong Contractor Series Universal Articulating Dual Arm Mount - 47-90" Displays

2 **R** 75" Class TU7000 Crystal UHD 4K Smart TV
 Samsung UN75TU7000FXZA
*The ultra-fast Crystal Processor 4K transforms everything you watch into stunning 4K
 See what you've been missing on the crisp, clear picture that's 4X the resolution of Full HD*

2 **S** Arlington Combo TV Box for Electrical and Low Voltage
 Arlington TVBU505
Arlington Combo TV Box for Electrical and Low Voltage

1 **T** Strong Contractor Series Rack - 18" Depth | 12U
 Strong SR-CS-RACK-12U
Strong Contractor Series Rack - 18" Depth | 12U

9 **U** ViewSonic 22" LED FHD Monitor
 VG2249
Display Port, HDMI, USB, VGA

Area Labor & Equipment Total \$46,540.13

PROJECT SUMMARY

Equipment Total	\$37,531.38
Cable & Hardware	\$2,450.00
Programming	\$5,500.00
Installation Total	\$9,008.75
Design, Project Management	\$2,000.00
Tax	<u>\$3,954.31</u>
TOTAL	\$60,444.44

TERMS, SCOPE & ACCEPTANCE

Your satisfaction is important to us, and we plan to exceed your expectations!
This proposal is a complete package, including design, wiring, equipment, installation, and coordination of plans with architects, decorators, electricians, and cabinetmakers.

All equipment is warranted by the manufacturers. We guarantee all installation work to be free of defects for a period of one year from installation date. If service is required, we will be happy to provide you with excellent service for your system. Carolina Technologies assumes no responsibility for damages, either direct or consequential, that may result from accidents associated with the design, installation, and operation of the sound and video equipment listed herein. Prices contained in this proposal are valid for 30 days. Any changes to this proposal will be submitted in writing for approval.

Responsibilities of others: High voltage electrical wiring and cabinetry are to be supplied by others. Television service connection will be furnished by others. Any 'prewire' locations do not include termination of wiring or wall outlets. Cabinetry must be adequate to fit this equipment and drawings must be submitted for our approval. Media cabinets must provide adequate ventilation to dissipate the heat of electronic equipment. In some cases, quiet fans may be needed for ventilation. Any conduits or trenching required to bury outdoor cabling (including Satellite and Cable company wiring) are not included and will be provided by others.

This proposal does not include installation or configuration of televisions or other video components.

Equipment Manufacturer's regularly update their product offerings. In our efforts to provide you with the very latest technology, we reserve the right to substitute the most up to date models available at the time of installation.

Terms: 30% with acceptance, 30% after rough-in is complete, and balance 40% upon completion of the installation. This equipment shall remain the property of Carolina Technologies until all installation and equipment charges have been paid in full.

Accepted by

Date

Carolina Technologies

I accept this proposal and authorize the work to be done and accept responsibility for payments due.

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: January 11, 2022**

SUBJECT: Award of Contract for Richland Creek Greenway Bridge

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: (LEAVE BLANK)
Department: Development Services Department
Contact: Elizabeth Teague, Misty Hagood
Presenter: Elizabeth Teague

BRIEF SUMMARY:

With the assistance of Bell Engineering, the Development Services Department has taken steps to design and engineer a greenway bridge across Richland Creek in accordance with the Town's greenway feasibility study and plan. This bridge will be a steel truss bridge with a concrete deck of 10' wide. Plans were issued for bid, and the Town received 5 qualified bids on December 16, 2021. The Town has \$119,519 in locally raised private donations and an allocation of American Recovery Program funding of \$210,000 for this project. The Town has also budgeted engineering costs associated with the design and construction of the bridge in this fiscal year. Based on the results of the bid for construction however, this needs to be supplemented with \$55,911. Staff requests that the Board consider approving the attached budget amendment to allocate fund balance toward this project and to approve Owle Construction, LLC of Whittier, NC as the contractor.

MOTION FOR CONSIDERATION:

1. Approval of the attached budget amendment
2. Award of contract to Owle Construction, LLC.

FUNDING SOURCE/IMPACT:

Total cost of project is \$385,430, including \$55,911 to be appropriated from the General Fund Balance.


Misty Hagood, Finance Director


Date

ATTACHMENTS:

- Budget Amendment
- Bib Tabulation Sheet
- Recommendation of Award from Bell Engineering

MANAGER'S COMMENTS AND RECOMMENDATIONS:

The recommendation is to award contract to Owle Construction, LLC in the amount of \$385,430.

CONTRACT 688-21-01

WAYNESVILLE RECREATION CENTER
 PEDESTRIAN BRIDGE
 TOWN OF WAYNESVILLE
 WAYNESVILLE, NORTH CAROLINA

We certify that the following is a true and complete tabulation of all bids received by the Town of Waynesville on December 16, 2021, for the titled project.

BELL ENGINEERING

David M. Hall

ITEM NO.	ITEM	QUANTITY	UNIT	Owle Construction LLC 120 Hoot Owl Road Whittier, North Carolina 28789		Buckeye Bridge LLC P.O. Box 1367 Canton, North Carolina 28716		IPC Paving LLC dba IPC Structures LLC 2000 Spartanburg Highway, Suite 600 Hendersonville, North Carolina 28792		Patton Construction Group Inc. P.O. Box 15054 Asheville, North Carolina 28813		B.H. Graning Landscapes Inc. 64 Bella Road Sylva, North Carolina 28779	
				UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL	UNIT PRICE	TOTAL
DIVISION A--LUMP SUM BID													
	For all necessary demolition, excavation, labor, materials, and equipment for the construction of a 100-foot long pedestrian bridge, including approximately 323 linear feet of asphalt walk installation, 92 linear feet of modular concrete block retaining wall, and 66 linear feet of handrail, as depicted in the Drawings, complete;	1	L.S.	\$380,000.00	\$380,000.00	\$445,000.00	\$445,000.00	\$507,500.00	\$507,500.00	\$624,490.00	\$624,490.00	\$955,330.00	\$955,330.00
	SUBTOTAL DIVISION A				\$380,000.00		\$445,000.00		\$507,500.00		\$624,490.00		\$955,330.00
DIVISION B--UNIT PRICE ITEMS													
1	Asphalt Walk, Including Stone Base, per Detail, Complete	10	S.Y.	\$58.00	\$580.00	\$75.00	\$750.00	\$100.00	\$1,000.00	\$35.00	\$350.00	\$130.00	\$1,300.00
2	Handrail, per Detail, Complete	10	L.F.	\$400.00	\$4,000.00	\$150.00	\$1,500.00	\$95.00	\$950.00	\$200.00	\$2,000.00	\$104.00	\$1,040.00
3	Modular concrete Block Retaining Wall, per Detail, Complete	10	S.F.	\$85.00	\$850.00	\$40.00	\$400.00	\$35.00	\$350.00	\$80.00	\$800.00	\$233.00	\$2,330.00
	SUBTOTAL DIVISION B				\$5,430.00		\$2,650.00		\$2,300.00		\$3,150.00		\$4,670.00
	TOTAL BASE BID CONTRACT 688-21-01, DIVISION A + DIVISION B				\$385,430.00		\$447,650.00		\$509,800.00		\$627,640.00		\$960,000.00

NOTE: Contract will be awarded on the Basis of the Total Base Bid. The Contract Price will be equal to Division A, Lump Sum Bid.





December 22, 2021

Ms. Elizabeth Teague, Development Services Director
Town of Waynesville
9 South Main Street, Suite 110
Waynesville, North Carolina 28786

RE: Award Recommendation
Contract 688-21-01 - Waynesville Recreation Center Pedestrian Bridge

Dear Ms. Teague,

On December 16, 2021, bids for this project were received and opened. There were five (5) bids submitted. The apparent low bid was from Owle Construction, with a Total Bid of \$385,430.00. Their bid for Division A was \$380,000.00, and it is this amount that would be the construction contract total, if accepted.

A table summarizing our understanding of project costs is included below, which indicates a total project cost of \$433,500.00. Please note that this table may not include all costs associated with the project, and is presented for your information and reference. Based upon our analysis of the bids submitted, we recommend that the City award this project to Owle Construction.

<u>Item</u>	<u>Cost</u>
Engineering - Surveying, Flood Study, Design	\$29,500
Engineering - Bidding, Construction Administration	\$24,000
Construction	\$380,000
Total Project Cost	\$433,500

Should you have any questions, please contact us. We appreciate this opportunity to assist you and the Town of Waynesville on this project.

Sincerely,
BELL ENGINEERING

A handwritten signature in blue ink that reads "David M. Howell".

David M. Howell, PE
Project Manager

Ordinance No. O-01-22

Amendment No. 14 to the 2021-2022 Budget Ordinance

WHEREAS, the Board of Aldermen of the Town of Waynesville, wishes to amend the 2021-2022 Budget Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Waynesville that the 2021-2022 Budget Ordinance be amended as follows:

General Fund:

Increase the following revenues:

Other Financing Sources

Fund Balance Appropriated 103900-493992 \$ 55,911

Multi Purpose Bridge \$119,519

Increase the following appropriations:

Planning Department

Capital 104910-545900 \$175,430

Total General Fund appropriations increase \$175,430

Adopted this 11th day of January 2022.

Town of Waynesville

J. Gary Caldwell
Mayor

Attest:

Eddie Ward
Town Clerk

Approved As To Form:

Martha Sharpe Bradley
Town Attorney