

**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 & 27<sup>th</sup> 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