

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
Regular Meeting
April 26, 2022

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, April 26, 2022, at 6:00 pm. in the Town Hall Board Room located at 9 South Main Street Waynesville, NC.

A. CALL TO ORDER

Mayor Gary Caldwell called the meeting to order at 6:04 pm with the following members present:

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

The following staff members were present:

- Rob Hites, Town Manager
- Jesse Fowler, Assistant Town Manager
- Eddie Ward, Town Clerk
- Martha Bradley, Town Attorney
- Police Chief David Adams
- Assistant Police Chief Brandon Gilmore
- Development Services Director, Elizabeth Teague
- Byron Hickox, Land Use Administrator
- Olga Grooman, Planner
- David Kelley, Chief Building Inspector
- Tom Maguire, Building Inspector
- Sam Cullen, Code Enforcement
- Jeff Stines, Public Services Director
- Fire Chief Joey Webb
- Assistant Police Chief, Chris Mehaffey
- Misty Hagood, Finance Director

The following media representatives was present:

- Becky Johnson, Mountaineer
- Cory Vaillancourt, Smoky Mountain News

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and reminded the Board about the upcoming events:
Thursday May 5th – Day of Prayer – Haywood County Courthouse 12:00 noon
Saturday May 7th – Mother’s Day Resource Fair – First United Methodist Church

B. PUBLIC COMMENT

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton to hold comments concerning solar power until that item is discussed later in the meeting. The motion passed unanimously.

John Keith spoke to the Board concerning the replacement/repair/location of the Dumpster on Wall Street.

Peggy Hannah thanked the Police for the job they are doing and added that crime is increasing in the Town. She asked that Mayor Gary Caldwell, Alderman Jon Feichter, Town Manager Rob Hites, Police Chief David Adams, and Public Services Director Jeff Stines to meet with Richard Bates for a discussion that would benefit the Town of Waynesville.

Bob Clark expressed his thanks to the Aldermen for the job that they do. He suggested to the Board that volunteers be recruited to help with the proposed pavilions.

Janet Clark thanked the Aldermen for the job they are doing, and especially Alderman Feichter for working to find solutions for problems that citizens have brought before the Board.

Scott Cason stated there have been mistakes because there is no protection for single family homes. He urged the Board to consider changing the zoning concerning density and large development.

Kris VonKalor addressed the proposed changes to the burning Ordinance.

C. ADDITIONS OR DELETIONS TO THE AGENDA

Mayor Caldwell asked that Item 2 Proclamation "Day of Prayer" and Item 4 - TDA Presentation be deleted from the agenda.

D. CONSENT AGENDA

All items below are routine by the Board of Aldermen and will be enacted by one motion. There will be no separate discussion on these items unless a Board member so requests. In which event, the item will be removed from the Consent Agenda and considered with other items listed in the Regular Agenda.

- i. Adoption of minutes of the April 6, 2022 special Board Retreat meeting
- ii. Adoption of minutes of the April 26, 2022 regular meeting

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

E. PROCLAMATION

2. Administrative Assistant Day
 - Assistant Town Manager Jesse Fowler

Assistant Manager Fowler read the Proclamation for Administrative Assistant Day on April 27, 2022, and said he appreciated the hard work the Administrative Assistants do every day.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to proclaim April 27, 2022 as Administrative Assistant Day. The motion carried unanimously.

F. CALL FOR PUBLIC HEARING

3. Call for Public Hearing to consider a request for Annexation for property at 1184 Camp Branch Road, PIN 8615-34-4314

- Olga Grooman, Planner

Olga Grooman, Planner, stated that the Town had received a Petition for Annexation of contiguous area from Mr. and Mrs. Bill Sorrells. The property is 0.57-acre in the Town's extraterritorial Jurisdiction and is in the Country Club-Low Density(CC-RL) district. Also, the Town received a request for extension of sewer lines outside the corporate limits from the property owners, which is the main reason for the annexation. The septic tank on their property has failed and is leaking raw sewage to run down the driveway. Staff is asking the Board to approve the sewer extension before the annexation so that when the property is annexed Mr. Sorrells can be connected and eliminate the raw sewage in his yard.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson to call for a Public Hearing to be held on Tuesday May 24, 2022, beginning at 6:00 pm or as closely thereafter as possible in the Town Hall Board Room located at 9 South Main Street, Waynesville to consider an application for annexation for property at 1184 Camp Branch Road, Waynesville PIN 8614-34-4314. The motion passed unanimously.

A motion was made by Alderman Jon Feichter, seconded by Alderman Anthony Sutton, to approve the request for extension of sewer lines outside the corporate limits of the Town of Waynesville for the described property. The motion passed unanimously.

G. PUBLIC HEARINGS

4. Public Hearing to consider a request for affordable housing incentives for construction of a 60 unit low to moderate income senior housing complex located on Locust Drive.

- Rob Hites, Town Manager

Town Attorney Martha Bradley opened the Public Hearing at 6:33 pm and asked if anyone wished to speak about the project.

Town Manager Rob Hites said that Mills Construction of Carrboro NC plans to apply for a 60- unit residential living development to the NC Housing Finance Agency for the tax credits necessary to make the project feasible.

For the project they propose the follow mix of housing and income thresholds:

11 one-bedroom units at 40% of AMI Rent \$402 per month

- 3 one-bedroom units at 50% of AMI Rent \$520 per month
- 22 one-bedroom units at 60% of AMI Rent \$640 per month
- 4 two-bedroom units at 40% of AMI Rent \$485 per month
- 6 two-bedroom units at 50% of AMI Rent \$625 per month
- 14 two-bedroom units at 60% of AMI Rent \$770 per month

For Mills Construction to submit a marketable application, they need the support of the Town and an offer of incentives. The request for incentives involves the cost of extending water to the site and grants to pay for system development and tap fees. Manager Hites reiterated that incentive grants MUST be paid by the General Fund. They are requesting approximately \$215,000.00 in incentives or \$3,583.00 per unit. The Locust Drive development contains 100% low to moderate income housing with fifteen of the units targeted at renters who earn 40% of the Average Monthly Income (AMI).

Mr. Bobby Funk, Development Director of Mills Construction, spoke to the Board saying that a Conditional District rezoning of this property had been approved by the Board at a prior meeting, and now they are seeking additional funding by applying for tax credits. A portion of the grant would support the sewer improvements and the 700-foot extension of the sewer system from the property to Plott Creek Road. They are also seeking reimbursement for local water, sewer, and capacity fees. Water service is already in place on Locust Drive. Mr. Funk gave an approximate timeline for construction of the project as beginning in summer of 2023 and begin leasing the units in June 2024.

Attorney Bradley closed the Public Hearing at 6:45 pm.

Manager Hites said that since this Resolution was written, the prices have gone up. Materials and Service has changed to \$172,123.00 from \$170,000.00, and the incentive grant for water and sewer changed to \$60,015.00 from \$45,000.00, for a total of \$232,136.00

A motion was made by Alderman Jon Feichter, seconded by Alderman Chuck Dickson to adopt the revised Resolution #R-04-22 in support and offer incentives for the “Hazelwood Bluff” Senior Living Affordable Housing Development. The motion passed unanimously.

- 5. Public Hearing to consider an application for a Conditional District Map Amendment.
 - Byron Hickox, Land Use Administrator

Attorney Bradley opened the Public Hearing at 6:48 pm and asked if anyone wished to speak during the meeting.

Mr. Byron Hickox reported that on March 2, 2022, Quartz Properties, LLC applied for a Conditional District Map Amendment for four properties – 18 Allison Acres Drive (PIN 8615-88-1632), 97 Allison Acres Drive (PIN 8615-88-3857), and two vacant parcels (PINs 8615-88-1854 & 8615-88-4442). A development consisting of 59 two-family and townhome dwelling units is proposed on the 7.7 acres of these four properties. The properties are in the East Waynesville Urban Residential (EW-UR) and Raccoon Creek Neighborhood Residential (RC-NR) Districts.

The plans for this project were reviewed by the Town's Technical Review Committee and notification of this hearing was scheduled in The Mountaineer Newspaper. At the Planning Board meeting on March 21, 2022 the Board voted that the proposed Conditional District Map Amendment is consistent with the Comprehensive Land Use Plan and to recommend approval of the Conditional District Map amendment to the Board of Aldermen.

Mr. Hickox said that many aspects of the proposed project was considered including Compatibility with surrounding properties, area impacts, adequate facilities, infrastructure, and building and site design.

The developer is requesting the creation of a Conditional District incorporating the following conditions:

➤ Reduction of Lot Dimensions and Setbacks –

Specifically, the following sections of the LDS Section 2.4.1 would not apply:

1. 3(a) - Lot area - Proposed lots will be less than 1/6 acre
2. 3(c) - Lot width - Proposed lots will be less than 50 ft wide
3. 4(a) - Front setback – Two-family and townhome units may be closer than this section allows

➤ Streets and Off-Street Parking

The proposed road network and associated off-street parking are designed to provide adequate and safe access for residents, fire, and EMS, while minimizing pavement width to reduce impervious area and allow for more open space (including a significant trail network). Despite proposed lot widths being well below 50 feet, no alleys are proposed, which minimizes both impervious surfaces and the prominence of the automobile in this project. The road network and parking more closely resemble a cottage-style subdivision, with clustered perpendicular parking in front of the townhouse and duplex units (instead of independent driveways and garages for each residential unit).

Section 5.8.4(A&B) - No garages are proposed. Off-street surface parking will not be accessed via alleys. The initial site design concept Quartz Properties, LLC presented at the TRC meeting adhered to the rear loaded requirement for narrow lots found in this section of the LDS; the result was an extensive road and alley network, a significant quantity of impervious surfaces, and very little open space. Conversely, the current layout, which has off-street parking located in front of the dwelling units (coming directly off the right-of-way), eliminates redundant alleys and maximizes open space.

Section 9.4.2(B)(3) - Townhouse units will have associated parking that does not adhere to the “entering and leaving in a forward motion” requirement. Vehicles will enter parking spaces in a forward motion and leave by reversing.

Section 9.4.2(C) - Parking for townhome units will require vehicles to back into the right-of-way.

The East Waynesville Urban Residential District has a maximum base density of 16 units per acre, while the Raccoon Creek Neighborhood District has a maximum base density of 10 units per acre. The proposed project has a density of 7.6 units per acre, less than the density allowable by right in either district. The plan exceeds the minimum set back requirements (10' side setbacks, 6' rear setbacks, and 6' between buildings). The

closest buildings to an exterior property line are two buildings in the northwest corner of the development, each of which are approximately 14' from the property line. Building height is limited to 3 stories. The project proposes two-story structures. (LDS 2.4.1)

Mr. Hickox explained that the proposed structures meet all the Design Guidelines for two-family dwelling and townhouses. Each of the proposed dwelling units addresses an internal street system connected to Allison Acres Drive and Counsel Place which connect to East Street. Sidewalks are provided along the frontages of all interior streets and connect to the primary entrance of each unit. Water, sewer, and electric is available from the Town and can supply the projected demand for this development.

There are multiple civic space areas located throughout the development all of which are connected by pedestrian pathways. Within the East Waynesville and Racoon Creek Neighborhood District, a minimum of 5% of a development shall be dedicated as civic space. The site plan indicates 2.11 acres of civic space, comprising 27% of the total development.

Because the development is located within the EW-UR and RC-NR Districts and is surrounded by properties within these two districts and the North Main Street Neighborhood Center District, no buffer yard is required between the development and surrounding properties. Since the March 21, 2022 Planning Board meeting, the developer has met with an adjoining property owner to discuss possible erosion issues as well as supplementing the landscaping along her property line.

Parking will be provided in the form of on-street perpendicular spaces throughout the development and requires at least 89 spaces for this development. The project proposes 136 parking spaces. With 136 auto spaces proposed, 7 bicycle spaces are required. Entrances to the development will be located at two existing access points, Allison Acres Drive and Counsel Place, each of which connect to East Street.

Mr. Hickox said Mr. Mark Howell had expressed concerns regarding the access and water line right-of-way that crosses the subject properties. The developer has adjusted the alignment of the parking lot to maintain Mr. Howell's access and is proposing a plan to connect his water line in conjunction with the overall infrastructure plan.

There are no known wetlands or streams on the site and is not located within any special flood hazard area.

The project meets the 2035 Comprehensive Land Use Plan's following goals:

Goal 1 – Continue to promote smart growth principles in land use planning and zoning.

- Create walkable and attractive neighborhoods and commercial centers.
- Encourage infill, mixed-use and context-sensitive development.

Goal 2 – Create a range of housing opportunities and choices.

- Encourage new housing inside Waynesville's city limits and ETJ.
- Promote a diverse housing stock including market rate, workforce housing and affordable options that appeal to a variety of households.

Mr. Patrick Bradshaw, Civil Design Concepts, spoke on behalf of Quartz Properties, LLC and stated that this developer has previously been involved with another development in the Town. He described the process of working with the Town, and the developer, and how the developers had not only met the required conditions of the development, but they exceeded them. The primary intent of this project is to maximize open space, and create lots for these townhomes and duplexes.

Charlotte Rogers stated that the by allowing multiple developments the Board is failing the Town's citizens, and they should be an advocate for the people you are serving. She said residents deserve that from the elected leaders, and Town staff. The density that is being approved is too much in a rural neighborhood.

Kris VonKaler said the development has the look and feel of a prefab modular built apartment complex. The Quartz developers have the homes built and shipped here from up north. He said it was clear that these homes would be considered apartments rather than single family homes, and with apartments, there will be a lot of turnover, because they don't have a long-term vested interest in the neighborhood. He asked the Board to deny the request or approve with the condition that the development would only be for home ownership housing.

Glenn Kavanal stated that he had previously lived in East Asheville, and left there because of the traffic and noise. He stated his concerns about how the development is being done around East Street. This street has already had traffic issues, and this will bring more trucks and cars. He is pro development, but stated the Town needs to be smart about it.

Attorney Bradley closed the Public Hearing 7:20 pm.

Alderman Jon Feichter had questions for staff concerning the Planning Board decision of approving the development.

A motion was made by Alderman Jon Feichter, seconded by Alderwoman Julia Freeman, to reopen the Public Hearing to gather more facts from the staff. The motion passed unanimously.

Town Attorney Martha Bradley reopened the Public Hearing at 7:22 pm.

Alderman Feichter asked the Development Services Director about a moratorium being discussed at the April 11, 2022 Planning Board meeting. Ms. Teague stated that moratorium was not on the agenda, but it was brought up at that meeting. She said the Planning Board did not discuss moratorium at the meeting. At the next meeting, staff provided the Planning Board with the State Statute regarding moratoriums, but it was not discussed.

He asked how many members of the public spoke at the meeting in relation to the Allison Acres property. Ms. Teague said two projects were brought in on one meeting, so there was a lot of public comment. She did not know how many had spoken concerning Allison Acres. Another question was if there was anyone who spoke in favor of the development at the Planning Board meeting. Ms. Teague said no.

Alderman Feichter said he was concerned by the fact that there was significant opposition by the public for this project. There were four Planning Board members who voted to approve, and three in opposition. Ms. Teague

referred him to the Planning Board report in the packet that has some comments from the members of the Planning Board. Concerns were related to Mr. Mark Howell and the right-of-way because he wanted to make sure he still had access to his water line. There was also concern about traffic and impacts to neighborhood.

Alderwoman Freeman asked about the current density being 10 units per acre, and this project proposes 7.6 units per acre, and three stories being allowed, but the project proposes 2 stories, and two acres for civic space.

Manager Hites said 2.91 million gallons of additional capacity in the sewer plant.

Alderman Dickson asked about a traffic study on the road. Mr. Bradshaw said that there had been a traffic study done by J. M. Teague and this project is right at the threshold and has been sent back to the Board of Aldermen for discussion at the first meeting in May.

Mr. Bradshaw explained in detail the situation concerning the water line on the property of Mark Howell. He has been offered a water tap and be connected to the water line of the development.

Attorney Bradley closed the Public Hearing at 7:42 pm.

A motion was made by Alderman Anthony Sutton, seconded by Alderwoman Julia Freeman to adopt a Consistency Statement indicating that the proposed Conditional District is reasonable and consistent with the 2035 Comprehensive Land Use Plan by following goals:

- ***Continue to promote smart growth principles in land use planning and zoning.***
- ***Create walkable and attractive neighborhoods and commercial centers***
- ***Encourage infill, mixed-use and context-sensitive development.***

The motion passed with four yays (Mayor Gary Caldwell, Alderwoman Julia Freeman, Alderman Anthony Sutton, and Alderman Chuck Dickson) and one nay (Alderman Jon Feichter.)

A motion was made by Alderman Anthony Sutton, seconded by Alderwoman Julia Freeman, to approve with conditions the Conditional District, and that the Conditional District will

- ***Create a range of housing opportunities and choices.***
- ***Encourage new housing inside Waynesville's city limits and ETJ***
- ***Promote diverse housing stock including market rate, workforce housing and affordable options the appeal to a variety of households.***

The motion passed with four yays (Mayor Gary Caldwell, Alderwoman Julia Freeman, Alderman Anthony Sutton, and Alderman Chuck Dickson) and one nay (Alderman Jon Feichter.)

H. OLD BUSINESS

6. Public Hearing to consider the text amendment to Article IV, Junked and Abandoned Motor Vehicles of the Waynesville Code of Ordinances.

- Olga Grooman, Planner

Attorney Bradley Opened the Public Hearing at 7:45 pm and asked if anyone wished to speak.

Ms. Olga Grooman stated that in 2021 Code Enforcement had 10 cases of junk vehicles in Waynesville. She said that so far in 2022 there are four active cases of junk vehicles. Currently the Town's Ordinance pertaining to junk vehicles does not provide clarity of authority or process to identify and remove junk vehicles. After researching Ordinances in other Towns, staff found several provisions missing from Waynesville's ordinance, including notice prior to removal, post-towing notice, definition of a vehicle that is a public health/safety hazard, an antique vehicle, exceptions to removal, exceptions to notice requirements, reclaiming, and sale of abandoned and junked vehicles. Development Services drafted an Ordinance to address gaps and created a Notice of Violation that will be mailed to the owner, posted on the windshield, and kept for the Town's records.

The proposed text amendments include the following changes:

- Definitions of antique vehicle, authorizing official, and vehicle that is public health/safety hazard
- Exceptions to the ordinance
- Right of the Town to contract with private towing companies
- Pre-towing notice requirements
- Post-towing notice requirements
- Clarification of hearing procedure
- Procedure for reclaiming a vehicle
- Provisions for vehicles abandoned on private property

A draft of the Ordinance was presented to the Aldermen for their input. There was discussion concerning the courts and what the process will be with the Notice of Violation.

Kris VonKalor had questions concerning who the Notice of Violation would be sent to. Chief Building Inspector David Kelley said that the notice would be sent to the owner of the vehicle and the property owner as well.

Attorney Bradley closed the Public Hearing at 8:00 pm.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton to approve Ordinance O-13-22 Article IV, Junked and Abandoned Motor Vehicles of the Waynesville Code of Ordinance. The motion passed unanimously.

Mayor Caldwell asked for a 15-minute break at 8:01 pm. The meeting resumed at 8:15 pm.

I. NEW BUSINESS

7. Recommendation for renewable solar power rate riders
 - Rob Hites, Town Manager

Manager Hites said after listening to the adherents of solar renewable energy, staff has drafted a proposal the balances the health of the Electric Fund with the need for solar customers to gain enough savings to repay the cost of their solar system. He recommends a limit of 500 KW for residential, commercial, and governmental accounts. This will permit 70 residential accounts, based on the average residential energy use, up to 20 KW. The commercial limitation will permit 25 customers to install solar energy up to a limit of 150 KW. Solar representatives indicate that a \$.1123 buy back rate will permit the customer to receive a 9.5-year return on

their investment. Manager Hites said staff recommends rounding off the buy-back to \$.10 per KW throughout the ten-year regulatory limit that solar customers are permitted.

It is very important to recognize that the Town will need to renegotiate its wholesale contract in five years. The terms of that contract may require the Town to amend its solar program. The electric fund will provide an incentive for customer that have installation by offering an average of \$1,127.00 per year. The commercial rate will provide and incentive of .043per KW. The governmental rate will also have a \$.043 saving.

The impact on the revenue stream for these three rate riders is as follows:

Residential incentives per annum *	(\$41,269)
Commercial incentives per annum *	(\$30,901)
Governmental incentives per annum*	(\$30,901)
Total incentives per annum	(\$103,072)

*Assumes 500 kW per each rate category

Michael Boss commended Alderman Feichter and Manager Hites on the work they have done with the solar presentation.

Betsy Wall told the Board that she feels that it is imperative for the Town to have solar policies and want the Town to work with residents and experts to step up the process.

William Hite said he is an advocate of the Town working with a committee to work out a few sticking points with the solar policy.

Alderman Jon Feichter commented that he supported the idea of an advisory group. He said he is proud that the Board and community have recognized the need for solar power and is committed to making North Carolina completely reliant on renewable energy by 2050. He said there are opportunities to increase revenue, and he cautioned the Board in getting caught up in the idea that the Town is losing Electric Fund revenue.

A motion was made by Alderman Jon Feichter, seconded by Alderman Anthony Sutton to adopt the Solar Rate Schedule as presented. The motion passed unanimously.

8. Amended Burn Ordinance #0-08-22
 - Joey Webb, Fire Chief

Joey Webb, Fire Chief stated that previously the Board approved Ordinance # 0-08-22; an ordinance amending Chapter 30 adding section 6 of The Town of Waynesville Code of Ordinances. It was discovered that no exception for citizens to be allowed to burn where removal of debris in steep terrain or circumstance that makes it impracticable to carry to curbside. The Ordinance has been amended so that the Fire Marshal can issue a permit prior to burning after inspection and approval is made. Burning will be limited to cut, natural vegetation, and piles shall be no more than five feet by eight feet and up to five feet in dimension. The North Carolina open rules and burning regulations will be followed.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton to approve the amended change; the Fire Marshall can issue a permit prior to burning after inspection and approval is made. The motion passed unanimously.

9. Main Street Pavilion Bid

- Jesse Fowler, Assistant Town Manager

Assistant Manager Fowler explained that the bid for the Main Street Pavilion have been received. There was one sole bidder, Providence Construction Company, and the bid was for \$152,580.00. A preliminary engineer estimated the cost of the project was \$81,000.00. As instructed by the Board of Aldermen, staff received input from the Downtown Waynesville Advisory Commission on the design and location of the project. The DWAC's consensus is that the location at Miller Street does not lend itself well to the idea of a pavilion due to the topography of Miller Street. DWAC does not believe that this site is suitable due to access to the site being constrained to a single entrance from the Miller Street Garden, which will hamper the public from gathering and enjoying public performances. The commission recommends to re-think the location of a venue to somewhere more suitable along Main Street.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter to reject the bid for the construction of the Main Street Pavilion. The motion passed unanimously.

10. Skate Park Pavilion Bid

- Jesse Fowler, Assistant Town Manager

Providence Construction Group was the lone bidder for the Skate Park Pavilion with a price of \$104,100.00. A preliminary engineer estimate was \$55,000.00. Assistant Manager Fowler said that currently there are no funds appropriated to fund this project. At the Board of Aldermen's annual budget retreat, staff received direction by consensus to postpone this project until a later date in hopes that the cost of construction will come down in the future, or to put the project out for another round of bids with the hope of attracting more bidders. Assistant Manager Fowler stated he is now seeking the Board's official direction on this matter.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to reject Providence Construction's bid and put the Skate Park Pavilion out for another round of bids. The motion passed unanimously.

11. No Parking Sign on Dolan Road

- Public Services Director, Jeff Stines

Jeff Stines, Public Services Director asked the Board to be able to install "No Parking" signs along Dolan Road to help minimize/eliminate on street parking.

A motion was made by Alderman Anthony Sutton, Seconded by Alderman Chuck Dickson, to install "No Parking" signs on Dolan Road. The motion passed unanimously.

12. Repair and/or relocation of the Wall Street dumpster.

- Sam Cullen, Code Enforcement Officer

Sam Cullen, Code Enforcement Officer explained to the Board the Town has allowed Downtown Businesses and residents to utilize a public dumpster located in the corner of the lower Wall Street parking area. This dumpster pad and screen is in severe need of repair and has created a hazardous situation which is difficult to maintain and keep free of debris. Mr. Cullen said that staff recommends that this dumpster area be removed, and a new dumpster containment be constructed on existing parking spaces of higher quality materials. The benefits are that more dumpsters could be provided, the area would be more accessible to trucks, and the hazardous situation would be removed. Mr. Cullen provided pictures of locations and materials that could be used to update the dumpster.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to choose option 4 – Relocation to proposed location C – move the dumpsters to the other side of the parking lot, eliminating two parking spaces, requiring a new screen and the relocation of a storm drain. The motion passed unanimously.

13. Budget Amendment to accept Parks and Recreation Trust Fund (PARTF) grant of \$232,750.00 into the budget for the development of the Greenway Bridge and Park

- Development Services Director, Elizabeth Teague

Ms. Teague said the Town received a grant for the Parks and Recreation Trust Fund in the amount of \$232,750.00 for assistance with the extension of the Town's greenway system and the development of new park amenities on the property across Richland Creek from the Town's Recreation Center. The Town has begun work on the bridge with the Assistance of Bell Engineering and Owl construction. She said the bridge has been ordered, and she expects it to arrive in Waynesville around June 20th.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton to approve Ordinance # O-15-22 in the amount of \$232,750.00 for the Greenway Bridge and Park Development. The motion passed unanimously.

14. Request from Haywood County Soil and Water Conservation District for Conservation Easements in East Street Park.

- Development Services Director, Elizabeth Teague

The Town worked with Haywood Waterways and the Southwestern Soil and Water Conservation District to implement stream bank restoration activities within East Street Park. The projects were funded by the North Carolina Clean Water Management Trust Fund (CWMTF). This project will address erosion and improve the stream through the East Street Park property. CWMTF requires that the footprint of the restoration areas on Town property be placed into a conservation easement with the Soil and Water Conservation District in accordance with their grant requirements. Covenants have been reviewed by Town Attorney Martha Bradley.

A motion was made by Alderman Anthony Sutton, seconded by Alderwoman Julia Freeman, to authorize staff to execute the agreement as prepared. The motion passed unanimously.

15. Award Contract for Fire Tanker

- Joey Webb, Fire Chief

Chief Webb said staff is requesting permission to order the Pierce Dryside Fire Tanker on a Freightliner 114SD 2-dr chassis as specified in the quote. He said the Fire Department had been informed the Pierce will not be accepting orders starting on May 1 for a period of 90 days or more for commercial chassis products. Also, the pricing will increase when they start taking orders again. The Tow will not need to pay any money until delivery of the fire tanker which is estimated to be at least 18 months. In May the Town will be closing a loan with JP Morgan Chase that includes the funding to pay for the truck and necessary equipment. A budget amendment is necessary to account for the loan proceeds and to issue the purchase order for the truck.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to approve Ordinance O-14-22 Amendment #21 in the amount of \$475,000.00 for expenditures associated with Fire Tanker and equipment. The motion passed unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to award the contract to Atlantic Emergency Solutions using H-GAC cooperative purchasing. The motion passed unanimously.

J. COMMUNICATION FROM STAFF

16. Manager's Report
Report on EV Charger Grants

Manager Hites explained to the Board that the State of NC is administering a VW Settlement Act program that offers grants for both high speed and low speed electric charging stations. The State set a limit of two fast charging stations and four low speed stations. Technically Waynesville does not qualify for a high-speed charging station, but our traffic volumes and influx of travelers has awarded the Town "priority corridor" status. Our grants person from the Southeastern Council of Governments believe the State will permit us to have a "primary corridor grant of up to \$ 142,500 per charger station due to the amount of traffic flow that passes through Town on the Smoky Mountain Expressway. Waynesville will also qualify for grants to install "Slow Charger"(Level 2) stations at four locations. The State grant administrators have set a 6.6 KW limit on the slow chargers (Level 2). Their rationale for the low charging rate is that such a rate will "save the life of the battery". This type of charger will give a vehicle 100 miles of charge for every three hours of charging time.

The grants should cover 100% of the cost of the stations so we can install a fast station and four slow stations at very little cost to the Town. The more powerful "fast charging stations of 50 KW can recharge a typical (not Tesla) electric vehicle to an 80% charge in 30 minutes and a Tesla type vehicle in about an hour. Their purchase and installation run approximately \$52,000 per charger. the charging capacity of the vehicle. Manager Hites said staff recommends applying for grants that provide 90%-100% grant funding to limit the impact on the Electric Fund balance. The grant funding covers not only the cost of the charging unit but also the cost of installing the charger and the software to communicate with the credit card industry and the charger maintenance firms.

A motion was made by Alderman Chuck Dickson, seconded by Alderwoman Julia Freeman, to apply for the grants to fund EV Chargers. The motion passed unanimously.

17. Amendment to McGill Associates Design Contract

Staff has been negotiating design changes with the grant/loan division of DENR (DEI) that will result in a five-million-dollar reduction in the bid price of \$28,600,000.00. The regulatory division of DENR (DEQ) objected to some of the design changes that were agreed upon with DEI. They stated in a recent meeting that the SOC specifies that the Town would build the plant “as designed” in the original bid document and any revision to that plan would call for a complete renegotiation of the SOC. DEQ is going to require that to approve the design and the new SOC McGill will have to submit construction drawings showing the redesign with explanation of the impact of the changes on the plant’s performance. The requirement for the redesign is beyond the Town’s original contract with McGill. They have estimated the cost of the modifications to the plan and negotiation of those changes with the regulatory branch of DENR (DEQ) and provide a fee amendment of \$233,100. Given that we have been moved to a “distressed community” status and are eligible for up to \$15 million in grants. The grant application is due on May 2nd. Manager Hites will request that the Town be reimbursed for McGill’s contract.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to approve Resolution R-07-22 adopting a Capital Improvement Plan for the Wastewater Treatment Plant. The motion carried unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, and additional \$233,100.00 in services to address design and plant performance issues required by the NC Department of Environmental Quality’s Divisions of Environmental Infrastructure and Environmental Quality. The motion passed unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to approve McGill Associates contract amendment in the amount of \$233,100.00. The motion carried unanimously.

Manager Hites mentioned that he had received notice from Southwestern Commission had granted \$40,000.00 to make improvements to the Police Department Evidence Room.

18. Report on Price of Light Fixtures for Roundabout

Several years ago, the Board authorized 36 decorative lights to be placed on North Main Street near the Fire Station. At that time the cost was \$123,000.00. The Town committed to put the lights in with NCDOT installing the underground and pour the bases for the lights. This pricing three months ago was \$184,182.00. Currently the price is \$233,798.00. Manager Hites said the Town is obligated to install them because of the agreement with NCDOT.

Manager Hites asked the Board to schedule a workshop to preview the budget and discuss any changes Board members might have. The consensus of the Board was to call for a Special Meeting on May 2, 2022 at 5:30 pm.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to hold a Special meeting on Monday May 2, 2022 at 5:30 pm in the training room located at 16 South Main Street. To discuss budgetary issues. The motion carried unanimously.

19. Town Attorney Report

- Town Attorney Marth Bradley

Rules of Procedure for Public Bodies of the Town of Waynesville

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to move the Rules of Procedure for Public Bodies of the Town of Waynesville to be heard at the May 24, 2022 Board of Aldermen meeting. The motion carried unanimously.

K. COMMUNICATIONS FROM THE MAYOR AND BOARD

No one had any comments

L. **ADJOURN**

With no further business, a motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to adjourn the meeting at 9:36 pm. The motion carried unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Eddie Ward, Town Clerk