



Town of Waynesville, NC

Board of Aldermen Regular Meeting

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

Date: November 22th, 2022

Time: 6:00 p.m.

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(828) 452-2491 eward@waynesvillenc.gov

A. CALL TO ORDER - Mayor Gary Caldwell

1. Welcome/Calendar/Announcements

B. PUBLIC COMMENT

C. ADDITIONS OR DELETIONS TO THE AGENDA

D. CONSENT AGENDA

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

2.
 - a. Adoption of minutes of the November 8th, 2022 Regular meeting
 - b. Christmas tree lighting

Motion: To approve the consent agenda as presented.

E. PRESENTATION

3. Presentation of the June 30, 2022 Audit Report and Financial Statements
 - Tonya Thompson with Martin Starnes & Associates

Motion: To accept the financial statements and reports as presented.

TOWN OF WAYNESVILLE – REGULAR SESSION AGENDA

November 22, 2022

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4. Public Presentation on the Town of Waynesville's Stormwater Program, General Stormwater Issues, and Proper Waste Disposal (trash, pet waste).

- Olga Grooman, Planner, Development Services
- Christine O'Brien, Haywood Waterways
- Caitlin Worsham, Haywood Waterways

5. Public Presentation on Haywood Waterways Association's Shelton Branch Feasibility Study

- Preston Jacobsen, Executive Director Haywood Waterways
- Caitlin Worsham, Project Manager Haywood Waterways
- Zan Price, Jennings Environmental PLLC

F. CALL FOR PUBLIC HEARING

6. Call for Public Hearing: Maggie Valley Annexation Agreement Renewal

- Rob Hites, Town Manager

Motion: to hold a public hearing to consider renewal of the joint annexation agreement with Maggie Valley on January 10, 2023.

G. NEW BUSINESS

7. Recommendation to Rename the Downtown Waynesville Advisory Committee (DWAC) to the Downtown Waynesville Commission (DWC).

- Beth Gilmore

Motion: to change the official name of the downtown Waynesville Advisory Committee to the Downtown Waynesville Commission.

H. COMMUNICATION FROM STAFF

8. Manager's Report

- Town Manager, Rob Hites

9. Town Attorney Report

- Town Attorney, Martha Bradley

I. COMMUNICATIONS FROM THE MAYOR AND BOARD

J. ADJOURN

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

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday November 8th, 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 6:01 pm with the following members present:

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

The following staff members were present:

Rob Hites, Town Manager
Martha Bradley, Town Attorney
Esther Coulter, Administrative Assistant
Olga Grooman, Planner
Elizabeth Teague, Development Services Director
David Adams, Police Chief
Fire Chief Joey Webb
Assistant Fire Chief Chris Mehaffey
Members of the Fire Department
Finance Director, Misty Hagood

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and thanked Alderwoman Julia Freeman for conducting the meeting while he was on vacation. Mayor Caldwell announced the town offices will be closed Friday November 11, 2022, in observance of Veterans Day and they will also be closed November 24 and 25 for the Thanksgiving Holiday.

B. PUBLIC COMMENT

Sherry Morgan, 437 Boundary Street, expressed her concerns about public drinking on the streets of Waynesville. She explained that Waynesville has always had a family atmosphere. The town needs to get control of the needle liter, and she expressed disagreement with The Smart Growth of America principles.

Mark Bondurant, Beaverdam Valley, Canton is a contractor who supports Cottage Community and Conservation development. Mr. Bondurant said people were looking for stronger communities with shared spaces, parks, gardens, walking trails.

C. ADDITIONS OR DELETIONS TO THE AGENDA

Mayor Caldwell stated with no additions or deletions to the agenda, he asked for a motion to approve the consent 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.

2.
 - a. Adoption of minutes of the October 11, 2022, Regular Meeting
 - b. Gateway to the Smokies Half Marathon/Mighty Four Miler to benefit Riley Howell Foundation Fun
 - c. Turkey Jam and Resource Fair

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

E. PRESENTATION

3. Recognition of Josh Evans promotion to Captain
 - Fire Chief Joey Webb

Fire Chief Joey Webb explained that one of the Captains moved to a part time position and the next in line for promotion was Josh Evans. Mr. Webb proceeded with the background of Mr. Evans joining the fire service in 1999 as a member of the Crabtree Fire Department. He worked full time at the Asheville Airport with Fire and Rescue and came to the Town of Waynesville in 2009 where he is a level 2 Fire Instructor. Mr. Evans is also a Fire Investigator Technician that has worked on arson cases with the police department. Mrs. Evans pinned on his Captain's badge and presented him with his Captain's Fire Helmet. Josh Evan's received a standing ovation.

4. Waynesville 1% Fiscal Year 21/22/Report
 - Lynn Collins, Executive Director Haywood TDA

Lynn Collins, Executive Director of the Haywood County Tour gave her power point presentation for Haywood Counties Net Occupancy Tax from 1984 to 21/22 Fiscal year. Hotel and Motel listing with nightly rates and Air BNB rates with totaled \$20,485,161 in revenue. January and March were unexpectedly the two busiest months for tourists. Some of the money was spent on Digital Media, Traditional Media, and Collaborative Print packages. New parking signs, charging stations, new Town Christmas decorations. Expenditures of \$323.330,000 increased by 48.9% from previous year.

F. CALL FOR PUBLIC HEARING

5. Call for a Public Hearing to be held on December 13, 2022, to consider a Text Amendment to Land Development Standards Section 12.3, the Flood Damage Prevention Ordinance.
 - Byron Hickox, Land Use Administrator

Development Services Director, Elizabeth Teague called for a public hearing and explained that this ordinance will replace the current ordinance with the revised and updated North Carolina State Flood Damage Prevention Ordinance which was provided by the state. Adoption of this current version is a requirement for the community to maintain eligibility for participation in the National Flood Insurance program.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson to call for a Public Hearing to be held on December 13, 2022, to consider a Text Amendment to Land Development standards Section 12.3, the Flood Damage Prevention Ordinance. The motion passed unanimously.

6. Call for a Public Hearing for December 13, 2022, to consider a rezoning request from Hazelwood Urban Residential (H-UR) to Hazelwood Urban Residential Mixed-Use Overlay-2 (H-UR-MX-O-2) District for five (5) properties off S. Main Street.
 - Olga Grooman, Planner

Town Planner, Olga Grooman called for the public hearing and stated this was by the owner's request for future development of their land use.

Before the motion Alderman Anthony Sutton asked to be recused himself from any discussion or motion due to one of the properties being his residents.

A motion was made by Alderman Chuck Dickson, seconded by Alderwoman Julia Freeman to call for a Public Hearing to be held on December 13, 2022, to consider a rezoning request from Hazelwood Urban Residential (H-UR) to Hazelwood Urban Residential Mixed-Use Overlay-2 (H-UR-MX-O-2) District for five (5) properties off S. Main Street. The motion passed unanimously.

7. Call for a Public Hearing for December 13, 2022, to consider Land Development Standards (LDS) text amendments related to Chapter 160D additions and general revisions, multiple sections of LDS
 - Olga Grooman, Planner

Town Planner, Olga Grooman called for a public hearing to make small changes related to 160D. Municode would not correct without proper approval.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton to call for a Public Hearing to be held on December 13, 2022, to consider Land Development Standards (LDS) text amendments related to Chapter 160D additions and general revisions, multiple sections of LDS. The motion passed unanimously.

8. Call for a Public Hearing for December 13, 2022, to consider the text amendment related to , Section 8.4 Buffer Yards of the Land Development Standards (LDS).
 - Elizabeth Teague, Development Services Director

Development Services Director, Elizabeth Teague called for a public hearing saying that this text amendment was developed by the subdivision sub-committee of the Planning Board, and it will require additional buffer requirement for large scale developments and special use permits.

A motion was made by Alderman Anthony Sutton, seconded by Alderwoman Julia Freeman to call for a Public Hearing to be held on December 13, 2022, to consider the text amendment related to, Section 8.4 Buffer Yards of the Land Development Standards (LDS). The motion passed unanimously.

G. PUBLIC HEARING

A motion was made by Alderwoman Julia Freeman, seconded by Alderman Anthony Sutton to open the Public Hearing at 6:29p.m.

9. Text amendment related to cottages and conservation subdivision designs Sections 2.5.3, 15.9, 17.3, and 17.4 of the Land Development Standards (LDS)

Olga Grooman, Planner told the board that cottage and conservation developments are alternative subdivision design options. They provide opportunities for developers to build with the land, design creatively, preserve additional open space, and create diverse neighborhoods with housing options that appeal to a variety of households. Cottage subdivisions are clustered development around a common courtyard or with a shared open space with parking and other amenities and would function as detached townhomes or condominiums. Conservation subdivisions are a minimum of two acres that dedicate at least 50% of the site as open space, preserving environmentally sensitive areas. Ms. Grooman explained that the idea behind these alternative subdivision designs is to create not just homes, but communities that provide housing, social, and recreational needs, while creating common open space at the same time.

Public Comment

Mark Bondurant,

Beaverdam Community

Mr. Bondurant asked Ms. Grooman to specify what type of homes were allowed, and when considering conservation subdivisions, does the property have to be considered “sensitive land” in order to qualify. Ms. Grooman said this is preferred.

Deanna Brooks

Waynesville

Ms. Brooks mentioned that tourism development is positive, but that she has concerns with making Waynesville an attractive place for tourist to come visit because it would invite homeless drug addicts into Town. Ms. Brooks also expressed her concerns for used needles being found throughout Town.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson to close the Public Hearing at 6:51p.m.

A motion was made by Alderman Anthony Sutton, seconded by Alderwoman Julia Freeman, to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest. Continue to promote smart growth principles in land use planning and zoning. Encourage in-fill,

mixed use, and context-sensitive development. Promote conservation design to preserve important natural resources. Create a range of housing opportunities and choices. Promote a diverse housing stock including market rate, workforce housing and affordable options that appeal to a variety of households. The motion passed unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson to adopt the Ordinance O-33-22 as presented. Protect and enhance Waynesville's natural resources. Protect and enhance water quality and forests. Encourage Park and greenway development to protect watersheds and improve access to open space. Protect rural lands, iconic views, and mountain vistas. Create an attractive, safe, and multi-modal transportation system. Provide an interconnected transportation network of roadways, greenways, freight mobility, bicycle routes and sidewalks that improves safety and strategic access for all users. The motion passed unanimously.

10. Public Hearing to consider text amendments related to Land Development Standards Chapter 6 pertaining to Roadway Infrastructure

- Elizabeth Teague, Development Services Director
- Candace Hladek
- Mark Hladek

A motion was made by Alderman Anthony Sutton, seconded by Alderwoman Julia Freeman to open the Public Hearing at 6:53p.m.

Development Services Director, Elizabeth Teague said his text amendment was found to be consistent with the 2035 Comprehensive Plan and recommended by the Planning Board at their September Meeting. These proposed amendments update the Town's roadway standards to be more applicable to Waynesville's topography and related subdivision and other development regulations that have come forward as a result of the Comprehensive Plan and 160D. It also aligns the Town's roadway engineering standards with current practice and accepted references in order to create an attractive, safe, and multi-modal transportation system. These updates will also allow for a better interconnected transportation network of roadways, greenways, freight mobility, bicycle routes and sidewalks that improves safety and strategic access for all users.

J.M. Teague Engineering & Planning, Candace & Mark Hladek presented the changes that were made in Section 6.

1. Section 6.5 Transportation Plan Conformity
2. Section 6.6 Street Classification and Design
3. Section 6.6.1 General Guidelines
4. Section 6.6.2A Boulevard
5. Section 6.6.2B Avenue
6. Section 6.6.2C Business District Street
7. Section 6.6.2D Residential Street
8. Section 6.6.2E Lane
9. Section 6.6.2F Alley
10. Section 6.6.2G Conservation or Hillside Street

11. Section 6.7 Street Engineering Standards
12. Section 6.7.1 Stopping Sight Distances
13. Section 6.7.4 Grades
14. Section 6.7.5 Centerline Radii
15. Section 6.7.6 Curb Radii and Construction (add G)
16. Section 6.7.11 Parking Spaces on Streets
17. Section 6.8 Pedestrian Facilities
18. Section 6.8.1 Sidewalks

Mayor Gary Caldwell recessed for 5-minute break.

No Public Present

Mayor Gary Caldwell asked for a motion to close the Public Hearing.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson to close the Public Hearing at 7:20p.m. The motion passed unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderwoman Julia Freeman to find the attached ordinance as presented consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest and it creates a safe and attractive multi-modal transportation system. Provide an interconnected transportation network of roadways, greenways, freight mobility, bicycle routes and sidewalks that improves safety and strategic access for all users. The motion passed unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson to adopt Ordinance O-35-22 as presented to amend the text of the Town's Land Development Standards and that it is reasonable and in the public interest to "make decisions about resources and land use in accordance with the North Carolina General Statutes. The motion passed unanimously

A motion was made by Alderman Jon Feichter to say he is impressed with the changes that the Planning Board are making, seconded by Anthony Sutton to have staff arrange a group meeting with the Planning board in January to discuss issues. An agenda will be determined before the meeting. The motion passed unanimously.

H. NEW BUSINESS

11. Purchase Laptops for Criminal Investigation Division
 - Det. Sgt. Tamara VanderDay

Detective, Sargent Tamara VanderDay explained that the Police Department is requesting permission to use \$8,555.00 of the Unauthorized Substance Use Tax to purchase 5 Lenovo ThinkPad T14s Gen 2 laptops for Criminal Investigations in the field.

A motion was made by Alderman Chuck Dickson, seconded by to Alderwoman Julia Freeman to approve Ordinance O-34-22, Amendment 5 to the 2022/2023 Budget for the Police Department's request to use \$9,153.85 of the Unauthorized Substance Use Tax to purchase 5 Lenovo ThinkPad T14s Gen 2 laptops.

The motion passed unanimously.

12. Zoning Board of Adjustment and historic Preservation Commission Application
 - Jesse Fowler, Assistant Town Manager

A motion was made by Alderman Jon Feichter, seconded by Alderman Anthony Sutton to interview Judi Donovan for the Zoning Board of Adjustment to look at her qualification and then appoint her to a board. The motion passed unanimously.

The was a brief conversation between the Board of Aldermen and Assistant Town Manager, Jesse Fowler regarding the design and construction of public restroom facilities to be located at Obama-King Park.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter to have staff gather bathroom design bids for the Obama King Park. The motion passed unanimously

I. COMMUNICATION FROM STAFF

13. Manager's Report
Town Manager, Rob Hites had nothing to report.
14. Town Attorney Report
Town Attorney, Martha Bradley had nothing to report.

J. COMMUNICATIONS FROM THE MAYOR AND BOARD
The Mayor and Board had nothing to report

K. CLOSED SESSION

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson to enter Closed Session for the purpose of discussing matters under NCGS §143-318.11(a)(5) Potential Land Acquisition. Also, to discuss annual performance evaluation of Town Manager at 7:46pm.

A motion was made by Alderman Chuck Dickson and Seconded by Alderman Anthony Sutton to enter Open Session at 7:49. The motion carried unanimously.

A motion was made by Alderman Chuck Dickson, Seconded by Alderman Anthony Sutton to approve two separate construction easements for the properties identified as Parcel IDs 8627-44-3164, and jointly 8627-34-5182, and 8627-33-6989. The motion carried unanimously.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton to enter closed session at 7:50 in order to discuss the annual performance evaluation of the Town Manager. The motion carried unanimously.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton to enter open session at 8:14. The motion carried unanimously.

A motion was made by Alderwoman Julia Freeman, seconded by Alderman Jon Feichter to adjourn the meeting at 8:15. The motion carried unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Eddie Ward, Town Clerk



TOWN OF WAYNESVILLE

PO Box 100
 16 South Main Street
 Waynesville, NC 28786
 Phone (828) 452-2491 • Fax (828) 456-2000
www.waynesvillenc.gov

CALENDAR November 2022

2022	
Thursday & Friday 24 - 25	Town Closed Thanksgiving Holiday
Friday December 2	Christmas Tree Lighting 5:00 pm
Sunday December 4	Hazelwood Christmas Parade – 3:00 pm
Monday December 5	Waynesville Christmas Parade – Main Street - 6:00 pm
Friday December 9	Employee Appreciation Luncheon – Rec Center 11:30 am – 2:00 pm
Saturday December 10	Night Before Christmas – Main Street – 6:00 pm – 9:00 pm
Tuesday December 13	Board of Aldermen Meeting – Regular Session
Saturday December 17	Night Before Christmas – 6:00 am – 9:00 pm
December 23, 24 & 27th	Town Closed – Christmas Holidays

Board and Commission Meetings – November 2022

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



Application for Special Events Permit

I. General Information

EVENT NAME: Christmas Tree Lighting

EVENT DATE(S): December 2, 2022

Note: If event is more than three days in duration, and not in the public right-of-way, you will also need a temporary event permit. Contact the Waynesville Police Dept. at 828-456-5363 for more information.

LOCATION: In front of Town Hall- 9 S. Main Street

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

SET-UP TIME (START/END): 4:00 p.m.

EVENT HOURS: 5 – 6 p.m.

DISMANTLE HOURS (START/END): 6:30 p.m.

ESTIMATED ATTENDANCE: This is a first-time event

BASIS ON WHICH THIS ESTIMATE IS MADE: _____

COMPREHENSIVE GENERAL LIABILITY INSURANCE REQUIRED: \$1,000,000. Please attach proof of insurance (or applicable rider).

II. Applicant and Sponsoring Organization Information

SPONSORING ORGANIZATION NAME: Downtown Waynesville Advisory Committee (DWAC)

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

APPLICANT NAME: Beth Gilmore TITLE: DWAC Exec. Director

ADDRESS: 9 S. Main Street CITY: Waynesville STATE: N.C. ZIP 28721

PHONE: 828-550-8122 FAX#: _____ EMAIL: bethgilmore@waynesvillenc.gov

ON-SITE CONTACT: Beth Gilmore TITLE: DWAC Exec. Director

ADDRESS: Same as above

PHONE #: _____ CELL PHONE #: _____ EMAIL: _____

III. Brief Description of Event

This will be a 1-hour event to kick off the Art After Dark gallery stroll on December 2 and kick off the Christmas season. Voices in the Laurel and Long's Chapel Chime and Bell Choir will provide music for a special tree lighting ceremony.

IV. Street Closure Request (Attach map of the Street Closure)

List any street(s) (or lanes of streets) requiring temporary street closure as a result of this event.

Include street name(s) indicating beginning and endpoints of the closing, day, date and time of closing and reopening:

1. One block of Main Street will be closed from the Church/East Street intersection to the Watami parking lot.

2.

3.

V. Event Details

YES NO

☐ ☒ Does the event involve the sale or **use of alcoholic beverages**?

If yes, has the ABC permit been obtained? Yes ☐ No ☐ Please provide a graphic of the area where alcoholic beverages will be purchased or consumed (i.e. beer garden layout)

☐ ☒ Does the event involve the **sale of food**? _____

If "YES", has the health department been notified? _____ Have you applied for a temporary permit? _____

☒ ☐ Will there be **musical entertainment** at your event? IF "YES" provide the following information:

Number of Stages: _____ Number of Band(s): _____ Amplification? _____

Note: If amplification is used, you will be required to perform a pretest for compliance with the noise ordinance.

☐ ☒ Do you plan to use an existing **occupied building**? Address _____

☐ ☒ Do you plan to use an existing **vacant building**? Address _____

☐ ☒ Will there be any **tents or canopies** in the proposed event site? Please provide the following information:

Approx. Number of Tents: _____ Will any tent exceed 400 sq. feet in area? ☐ NO ☐ YES

☐ ☒ Does the event involve the use of **pyrotechnics**? Explain _____

☐ ☐ Will you provide **portable toilets** for the general public attending your event? IF SO, how many and where will they be located? _____

☐ ☒ Will you require **electrical hookup** for the event? Generators? _____

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

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

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

☐ ☒ Will **signs and/or banners** be displayed as part of the event? If "YES" have you applied for a sign permit? _____

☐ ☒ Will **inflatable parade balloons** be used for the event? Provide details if necessary. _____

VI. Additional Questions

How will **parking** be accommodated for this event?

Public parking

Notes:

1. Parking and buildings involved may be examined for ADA compliance.
2. You may be required to provide a shuttle if the event places undue demands on surrounding parking areas.

How will **trash** be contained and removed during and after the event?

Public trash receptacles

Volunteers: Will you require Civilian Police Volunteers for your event?

TBD

Apply for this permit at least 60 days prior to your special event. (30 days for a neighborhood street closing)

Return to:

Jesse Fowler, Assistant Town Manager

Town of Waynesville

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

Telephone: (828) 452-2491

Fax No. : (828) 456-2000

Email Address: jfowler@waynesvillenc.gov

VIII. Special Information for Applicants

- * Do not announce, advertise or promote your event until you have an approved and signed permit.
- * You will be required to notify property owners affected by the event at the time a special events permit is issued with a copy of any correspondence provided to the Town for the permit file.
- * **Only chalk may be used on streets – no permanent paint. No permanent alterations to the street will be permitted.**
- * The Town has an ordinance prohibiting the use of tobacco and e-cigarettes in the business districts and all parks of the Town. The Applicant is to communicate this information to all vendors and participants. Permanent signs are in place in these districts and parks.
- * The Town has an ordinance allowing animals at festivals. Any incidents should be reported to the Police Department.
- * The Applicant shall be responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing on-duty law enforcement officers, to appropriately police street closures. For festivals, the Applicant shall be additionally responsible for hiring and paying off-duty law enforcement officers, or reimbursing the Town for the costs of providing city staff, including but not limited to: on-duty law enforcement officers, to provide internal festival security and for hiring and paying necessary emergency medical technicians.
- * The Assistant Town Manager, in consultation with the Waynesville Police Department, shall determine the number of officers needed to appropriately monitor street closures and for internal security, and with the Fire Department to determine the number of emergency medical technicians needed, and the time when such services shall commence and end.

FOR INTERNAL USE ONLY:

Application received:

Application approved:

Application denied:

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

SUBJECT: Presentation of the June 30, 2022 Audit Report and Financial Statements

AGENDA INFORMATION:

Agenda Location: Presentation
Item Number:
Department: Finance
Contact: Misty Hagood
Presenter: Tonya Thompson with Martin Starnes & Associates

BRIEF SUMMARY:

Tonya Thompson with Martin Starnes & Associates will present an overview of the Town's financial statements and audit report for the year ended June 30, 2022. The Town received an unqualified opinion.

MOTION FOR CONSIDERATION:

To accept the financial statements and reports as presented.

FUNDING SOURCE/IMPACT:

Contract amount will be included in the 2022-2023 budget.

ATTACHMENTS:

A copy of the statements and letters will be provided either at the meeting or by email if we do not have LGC approval before the meeting.

MANAGER'S COMMENTS AND RECOMMENDATIONS:

To accept the financial statements and reports as presented.

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

SUBJECT: Public Presentation on the Town of Waynesville's Stormwater Program, General Stormwater Issues, and Proper Waste Disposal (trash, pet waste).

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Development Services
Contact: Olga Grooman
Presenters: Olga Grooman, Planner, Development Services
Christine O'Brien, Haywood Waterways
Caitlin Worsham, Haywood Waterways

BRIEF SUMMARY:

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

The permit requirements are summarized in 57 goals/action items of the Town of Waynesville Stormwater Management Plan, officially approved by the NC DEQ. One of them is to "provide platform for public input on stormwater issues at Public Hearings." Specifically, this year's topics include:

- Overview of the main requirements of the Town's Stormwater Permit
- General stormwater issues
- Proper waste disposal (pet waste, trash)

This public presentation is an opportunity for the Board and citizens to provide feedback, ask questions, and share their ideas or concerns.

MOTIONS FOR CONSIDERATION:

None.

FUNDING SOURCE/IMPACT:

The Town's Stormwater program is administered by the Town's Development Services Department and Public Services Department with assistance from Haywood Waterways. Additionally, the Town contracts with WithersRavenel engineering services for the purpose of review of engineered stormwater plans.

ATTACHMENTS:

1. Power Point Presentation

MANAGER'S COMMENTS AND RECOMMENDATIONS:



TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

Phone (828) 456-8647 • Fax (828) 452-1492

www.waynesvillenc.gov

FOR PUBLICATION IN THE MOUNTAINEER: November 20 edition

Date: November 14, 2022

Contact: Olga Grooman, (828) 356-1172

Notice of Public Presentation

Town of Waynesville Board of Aldermen

Haywood Waterways and Development Services Department will give a public presentation about the stormwater program and stormwater-related issues on November 22, 2022, beginning at 6:00 p.m. or as closely thereafter as possible in the Town Hall Board Room located at 9 South Main Street, Waynesville. The topics will include: overview of the Town's NPDES Permit, proper waste disposal, and pet waste.

For more information contact the Development Services Department at: (828) 356-1172, email: ogrooman@waynesvillenc.gov, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.

STORMWATER

- Waynesville NPDES Permit
- Proper Waste Disposal
- General Stormwater Issues

Presented by:

Olga Grooman, Development Services

Christine O'Brien, Haywood Waterways Association

Caitlin Worsham, Haywood Waterways Association



1

How did the Stormwater Permit Start?

The Clean Water Act (CWA) established the basic rules for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters (1972).

- To restore and maintain the biological integrity of the nation's waters
- Under the CWA, the EPA has implemented pollution control programs. The CWA made it unlawful to discharge any pollutant from a point source into navigable waters, unless a permit was obtained.
- EPA's National Pollutant Discharge Elimination System (NPDES) permit program controls discharges.



Souyrce

2

Waynesville NPDES Permit

- Current Permit issued on August 19, 2021.
- Valid for 5 years.
- Contains 22 pages.

Goals:

- Allow the Town to discharge stormwater from their municipal separate storm sewer system.
- Protect water quality.
- Reduce the discharge of pollutants in stormwater runoff to the maximum extent practicable.



3

NPDES Permit

Permittees

There are currently 122 permitted MS4 entities in North Carolina. Some MS4s elect to cooperatively implement their stormwater management programs and are issued a single permit naming them as co-permittees. **There are currently 109 active NPDES MS4 permits:**

Include:

- | | |
|------------------|---------------|
| • NCDOT | • Weaverville |
| • Asheville | • Woodfin |
| • Clyde | • Charlotte |
| • Canton | • Shelby |
| • Black Mountain | • Concord |
| • Montreat | • Gastonia |
| • Hendersonville | • Cary |
| • Fletcher | • Chapel Hill |
| • Laurel Park | • Hickory |

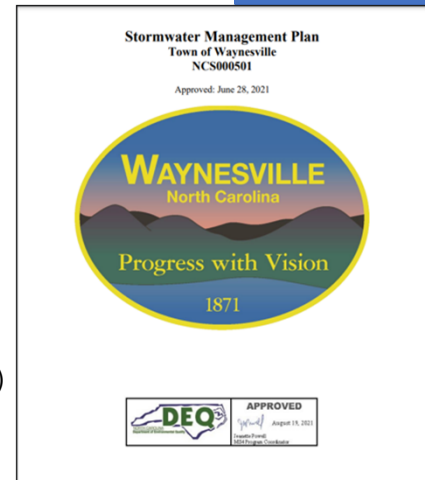


4

NPDES Permit Requirements

MS4 Must have a Stormwater Management Plan (SWMP) to address six Minimum Control Measures:

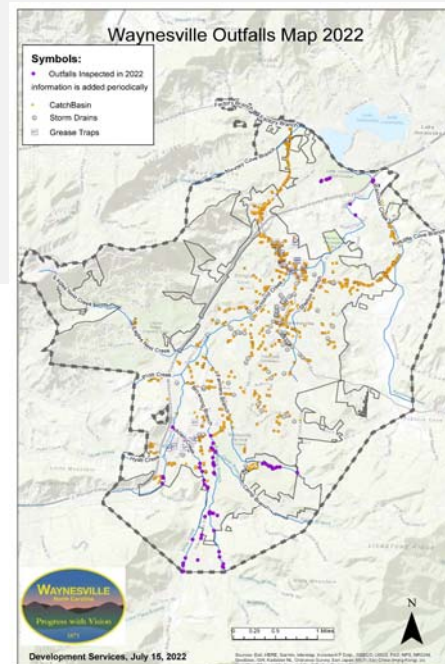
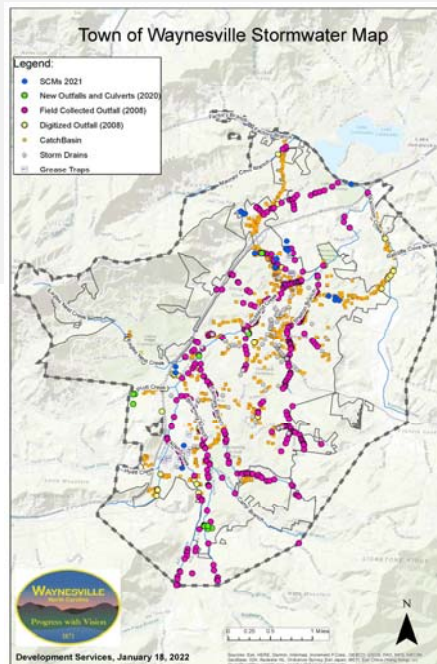
1. Public Education and Outreach
 2. Public Participation and Involvement
 3. Illicit Discharge Detection and Elimination (IDDE)
 4. Construction Site Runoff Controls
 5. Post-Construction Runoff Control Program
 6. Pollution Prevention/ Good Housekeeping
- + Program Administration (logging, annual self assessments to the NCDEQ)



5

Stormwater Maps

- Regular dry weather (no rain for 72 hours) outfall inspections).
- Annual inspections of Stormwater Control Measures (SCMs).



6

Outfalls and SCMs



Waynesville Outfalls:

- At least 20% of all major outfalls must be inspected annually (100% over the 5-year permit term).
- Approximately 454 outfalls (major and minor).
- Inspected 116 as of today (1 year, 3 months into the permit term).

SCMs:

- 30 qualifying SCMs (including 5 Town-owned)
- Bioretention cells, dry ponds, permeable pavement, aqua swirls, underground detention.
- Must be inspected annually.

7

Illicit Discharge Detection and Elimination Plan

Officially approved by the NC DEQ on June 17, 2022.

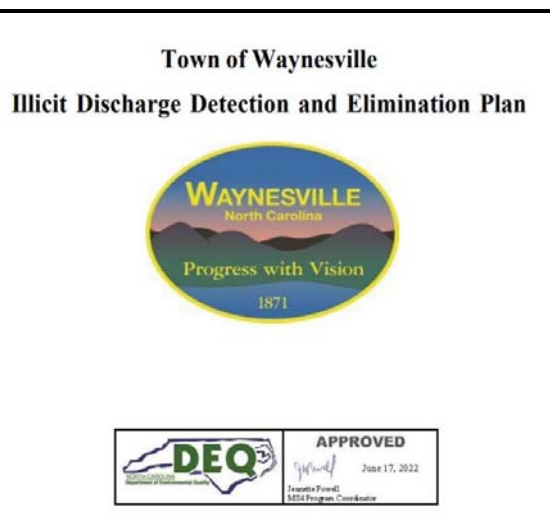

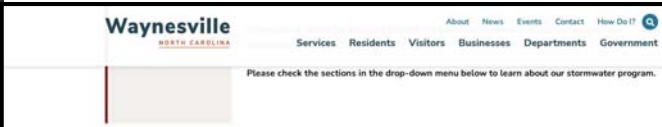


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8

Waynesville Stormwater Page





Please check the sections in the drop-down menu below to learn about our stormwater program.

Skip To:

- About the Stormwater Program
- Post-Construction Stormwater Management
- Pollution Prevention and Good Housekeeping Program
- Public Hearings
- Community Projects
- Educational Resources

About the Stormwater NPDES Program

In response to the 1987 amendments to the Clean Water Act, the Environmental Protection Agency (EPA) developed Phase I of the Stormwater Program in 1990. Phase I of the program requires a NPDES permit coverage for medium and large municipal separate storm sewer systems (MS4s) serving populations of 100,000 people or more.

Stormwater questions or to report an illicit discharge:

Development Services: email: ogrooman@waynesvilenc.gov or call: (828) 356-1172

Monday to Friday, 8 am - 4:30 pm

Haywood Waterways: email: info@haywoodwaterways.org or call: (828) 476-4667 EXT 10

Holidays and After Hours Call: (828) 456-5363

NC Department of Environmental Quality Hotline Call: 1-866-STOP-MUD

When calling, please be prepared to share the following information: time/date, location, and description of the issue.

Please check the sections in the drop-down menu below to learn about our stormwater program.

9



Stormwater Hotline: 1-866-STOP-MUD

+ Development Services, Public Services, Haywood Waterways

10



11

PROPER WASTE DISPOSAL & STORMWATER ISSUES

- ▶ Recycling
- ▶ Hard to dispose of items
- ▶ Pet waste pollution program



12



13

COMMON HOUSEHOLD ITEMS DIFFICULT TO DISPOSE OF.....

Convenience Centers & Materials Recovery Center – Jones Cove Rd.

- Automotive oil & cooking oil
- Household and automotive/boat/lawn mower batteries
- Antifreeze



Hazardous Household Waste Event

- Oil based paint
- Household chemicals
- Mixed solvents



For more information contact the Materials Recovery Center at (828) 627-8042

14

PET WASTE POLLUTION PROGRAM












Bag it!!
Flush it!! or
Toss it in the trash!!!
BUT DON'T compost it!!!



15

GENERAL STORMWATER INFORMATION

Stormdrains are not connected to the sewer line.
 Whatever goes down a stormdrain will be carried and dumped, untreated, into the nearest waterway.


+

+

=


16

HELP KEEP POLLUTION OUT OF OUR WATERWAYS!!!!

- Maintain dumpsters
- Place trash in a secure receptacle
- Secure trash when hauling it
- Dispose of pet waste in the trash or flush it
- Properly dispose of all hazardous waste material
- AND NEVER DUMP ANYTHING DOWN A STORMDRAIN!!!

*Consider joining a stream cleanup or the Adopt – A – Stream Program



17

STREAM CLEANUPS & ADOPT – A – STREAM PROGRAM

Big Sweep 2022

- ▶ Three groups participated
- ▶ 43 volunteers removed 2,590lbs. of trash



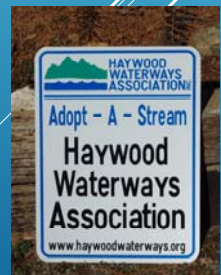
To date stream cleanups and the Adopt – A – Stream program has removed 40 tons of trash from our waterways!!!

Adopt – A – Stream Program

Currently 6 groups are active in the town limits

Three new groups joined in 2022:

- Premier Magnesia, LLC (Giles Chemical)
- Canopy Realtor Association
- FUMC Afterschool



18

How Can You Help?

Start at Home

Volunteer

Membership

Tell a Friend

Donate

Explore

Questions or Concerns call Haywood Waterways: 828-476-4667



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

SUBJECT: Public Presentation on Haywood Waterways Association's Shelton Branch Feasibility Study

AGENDA INFORMATION:

Agenda Location: Presentation
Item Number:
Department: Development Services
Contact: Preston Jacobsen
Presenters: Preston Jacobsen, Executive Director Haywood Waterways
Caitlin Worsham, Project Manager Haywood Waterways
Zan Price, Jennings Environmental PLLC

BRIEF SUMMARY:

Haywood Waterways Association and the Town of Waynesville contracted with Jennings Environmental, PLLC produced a watershed management plan for the Shelton Branch watershed. Shelton Branch is a subwatershed of Richland Creek. It is a 2.1 sq. mile urban watershed entirely within the Town of Waynesville. In collaboration with the clients and other stakeholders, the project team identified priority areas for potential preservation and restoration projects within the watershed.

The report summarizes the resulting watershed restoration plan for the Shelton Branch watershed, provides a roadmap for future watershed improvement projects, and includes the following:

- Watershed characterization data, including land cover, soils, and hydrology
- Specific recommendations for restoration and preservation efforts that would protect and improve water resources
- Resources, including conceptual design information and potential funding sources that can be used to facilitate future watershed restoration projects.

This public presentation is an opportunity for the Board and citizens to provide feedback, ask questions, and share their ideas or concerns.

MOTIONS FOR CONSIDERATION:

None.

FUNDING SOURCE/IMPACT:

The Southwestern Commission (SWC), Region A Council of Government received funding from the North Carolina Department of Environmental Quality through the Section 205(j) Grant program. The U.S. Environmental Protection Agency provides states with funding to do water quality planning. Haywood Waterways Association and Jennings Environmental were contracted to complete the work.

ATTACHMENTS:

1. Power Point Presentation

MANAGER'S COMMENTS AND RECOMMENDATIONS:

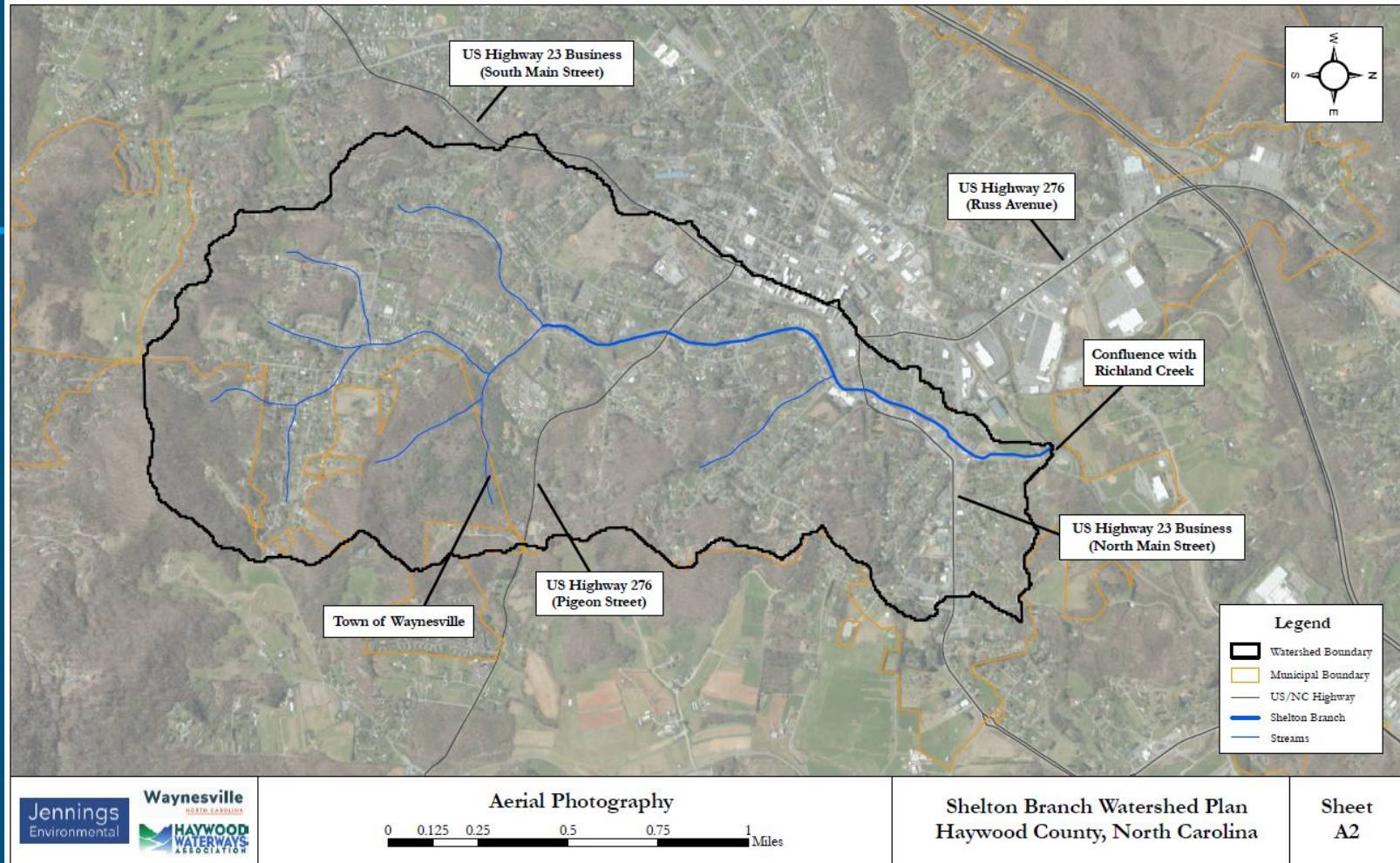


Shelton Branch Feasibility Study



Haywood Waterways Association and
Jennings Environmental

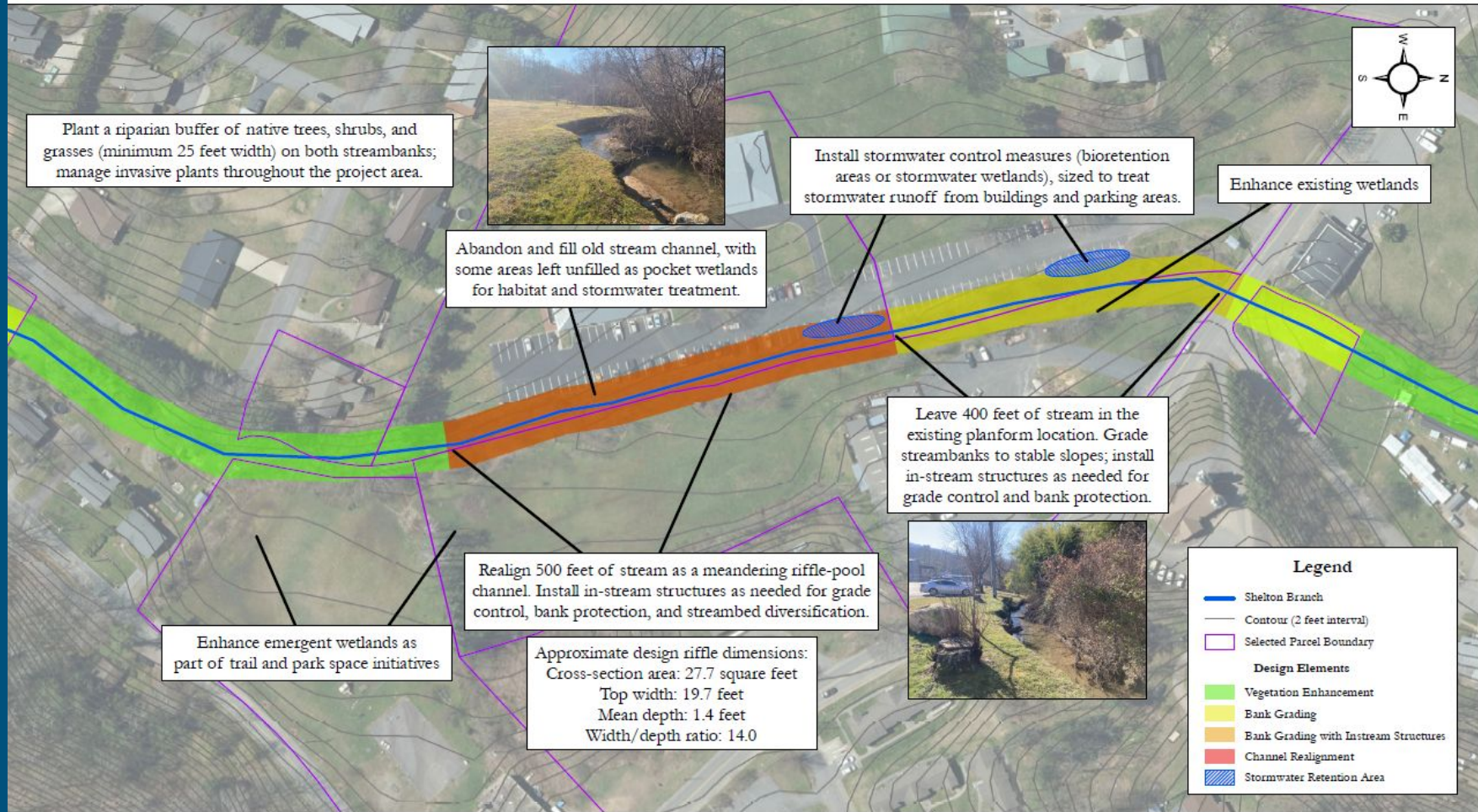


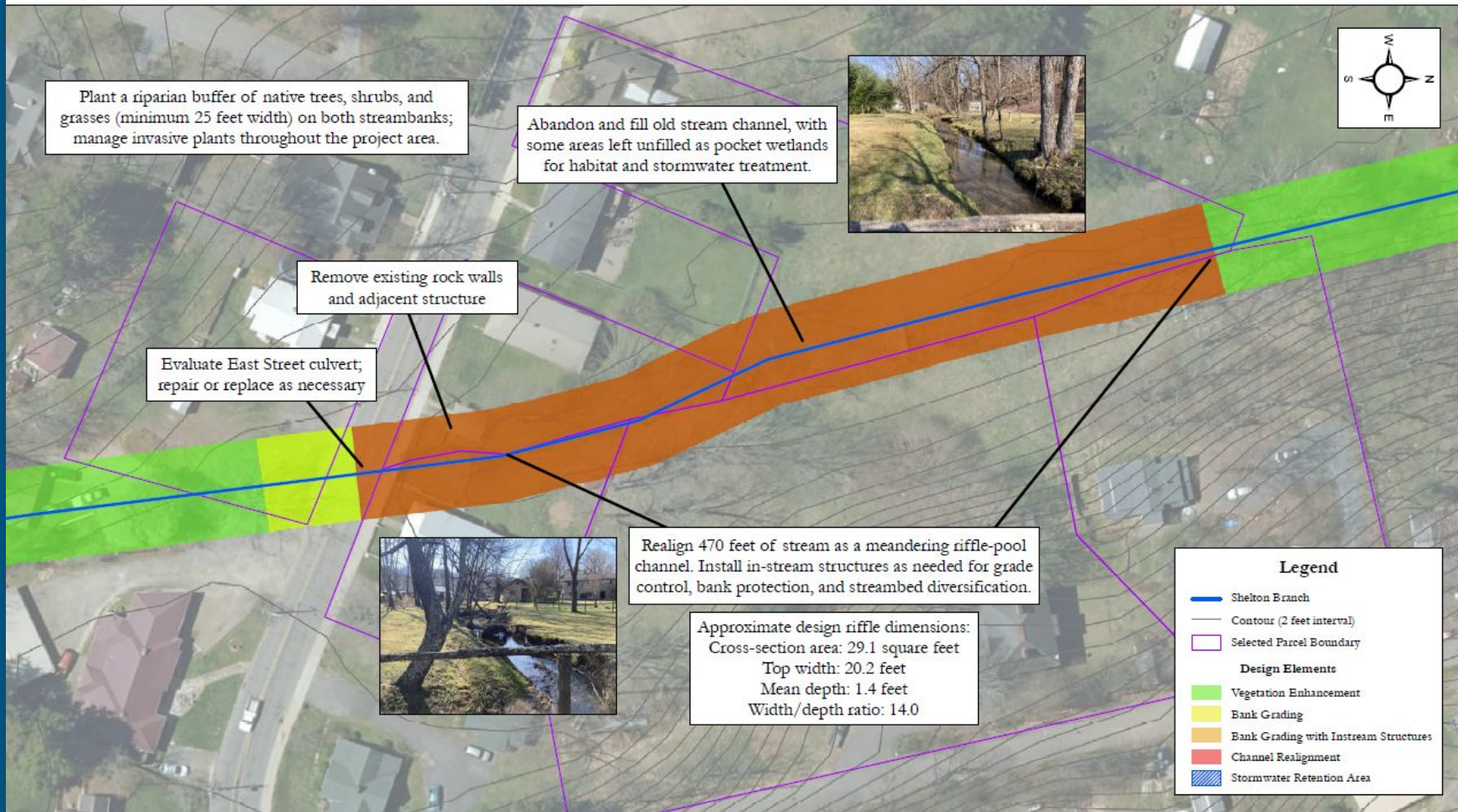


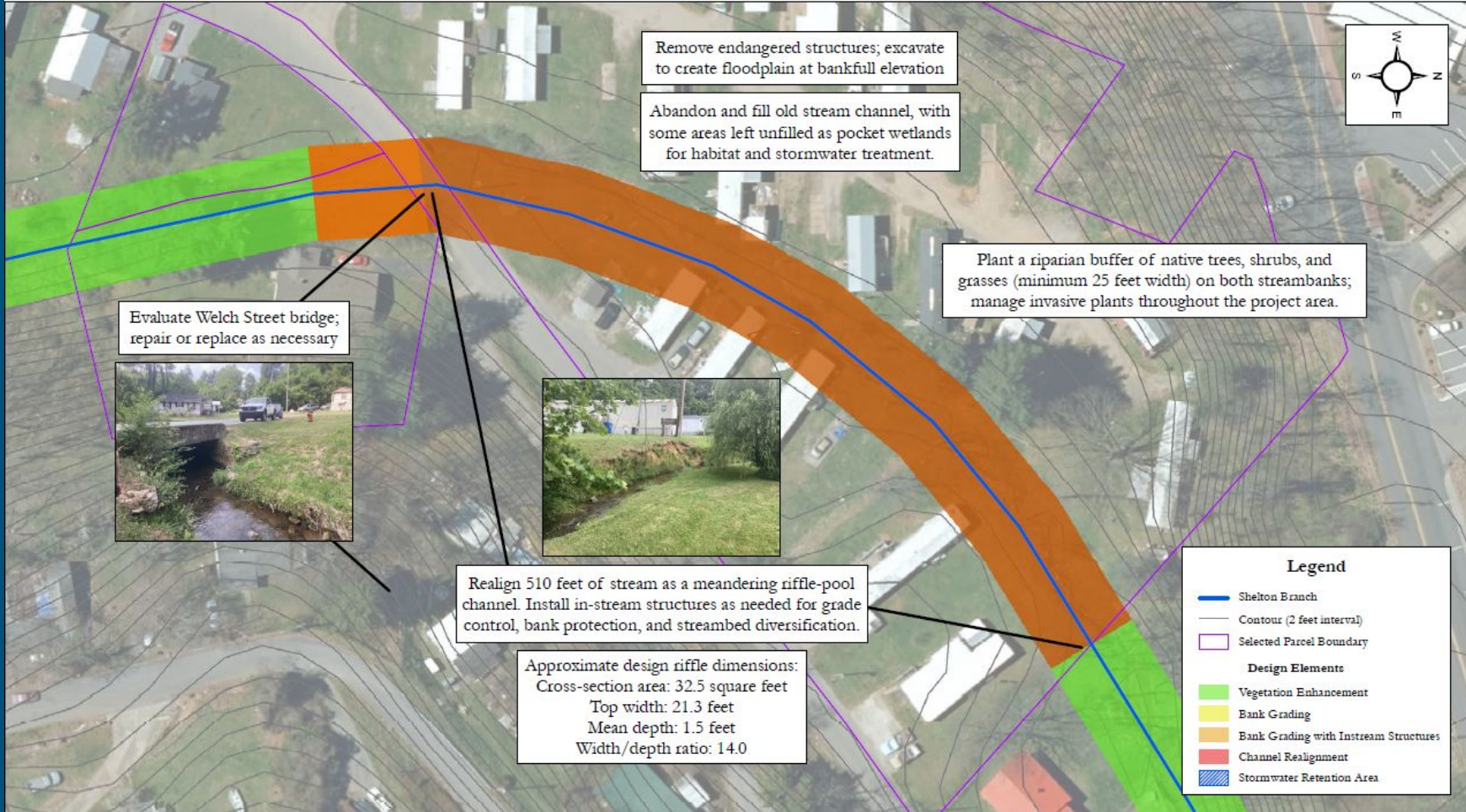
Shelton Branch Watershed

18 Identified Potential Projects

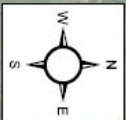
- Four sites are categorized as High priority with the remaining 14 as Moderate priority
- A project would be assigned a High priority to protect infrastructure and/or due to existing conditions that severely impact water quality.
- The moderate priority projects also have existing conditions that significantly impact water quality.
- Specific recommendations for restoration and preservation efforts that would protect and improve water resources







Approximate design riffle dimensions:
Cross-section area: 32.5 square feet
Top width: 21.3 feet
Mean depth: 1.5 feet
Width/depth ratio: 14.0



Stabilize eroding streambanks by grading to a stable slope (3:1 or flatter), with use of revetments as needed. Install in-stream structures as needed for grade control, bank protection, and streambed diversification.

Treat stormwater runoff from building and parking areas with control measures such as bioretention areas and stormwater wetlands

Identify the source of all pipes discharging to Shelton Branch



Plant a riparian buffer of native trees, shrubs, and grasses (minimum 25 feet width) on both streambanks; manage invasive plants throughout the project area.

To the extent possible, remove portions of existing parking lot



Legend

- Shelton Branch
- Contour (2 feet interval)
- Selected Parcel Boundary

Design Elements

- Vegetation Enhancement
- Bank Grading
- Bank Grading with Instream Structures
- Channel Realignment
- Stormwater Retention Area

Questions or Comments?

Contact Haywood Waterways
828-467-4667



**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: 11/22/22**

SUBJECT: Call for Public Hearing: Maggie Valley Annexation Agreement Renewal

AGENDA INFORMATION:

Agenda Location: Call for Public Hearing
Item Number:
Department: Administration
Contact: Rob Hites, Town Manager
Presenter: **Rob Hites, Town Manager**

BRIEF SUMMARY:

In April of 2007 the Town of Maggie Valley entered into an Annexation Agreement which set boundaries for where the Town of Maggie Valley and the Town of Waynesville can and cannot annex for a time period of twenty years. This Annexation Agreement expires in approximately five years and the Town of Maggie Valley has requested that we renew this agreement ahead of time so that a new long-term can be included in Maggie Valley Comprehensive Land Use Plan update. Renewal of this agreement requires a public hearing to be held by both municipalities, and we are requesting the Board of Aldermen hold their public hearing on the matter at the regular scheduled meeting on January 10, 2023.

MOTION FOR CONSIDERATION:

- Motion to set a public hearing to consider renewal of the joint annexation agreement with Maggie Valley on January 10, 2023.

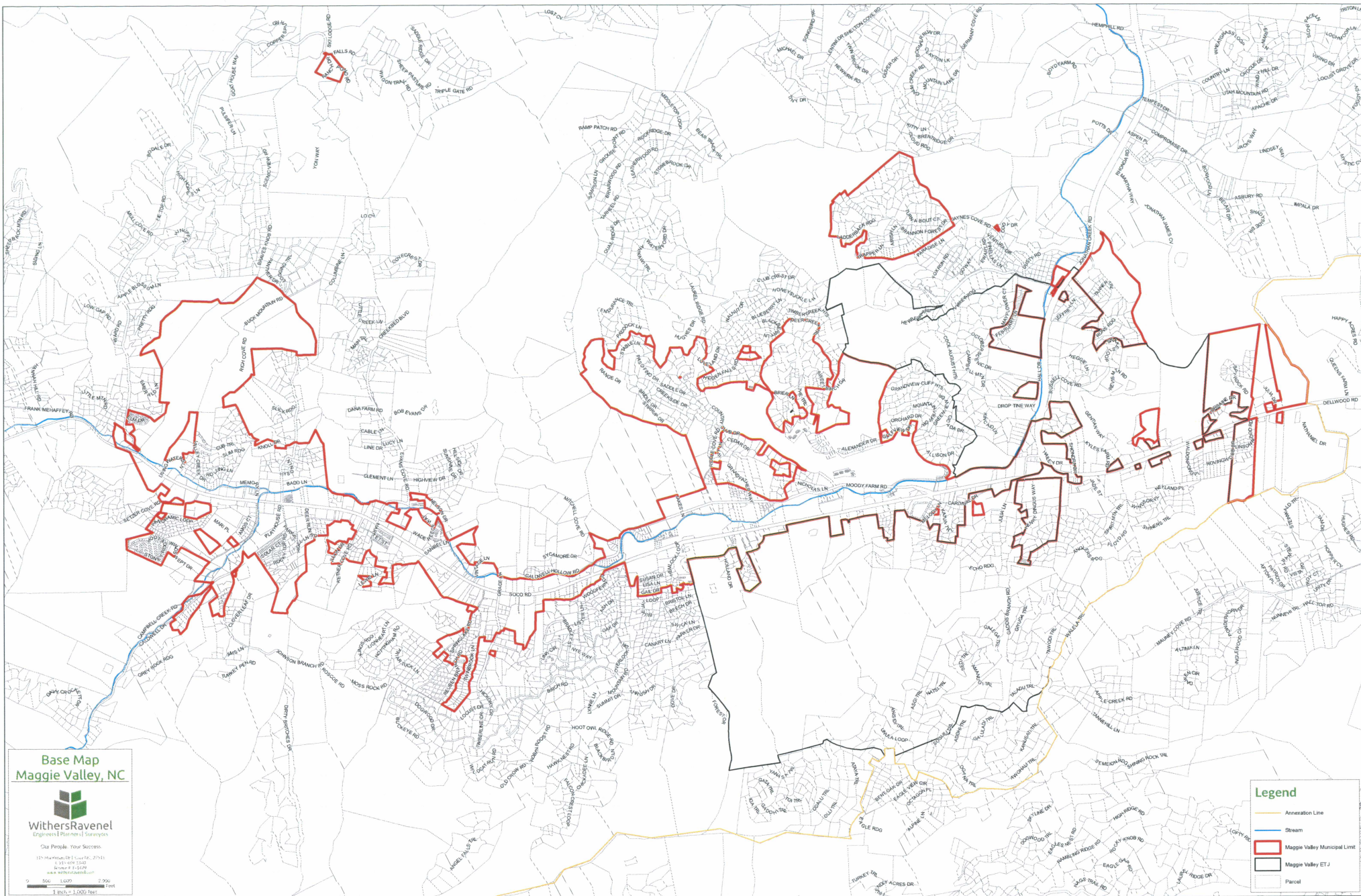
FUNDING SOURCE/IMPACT:

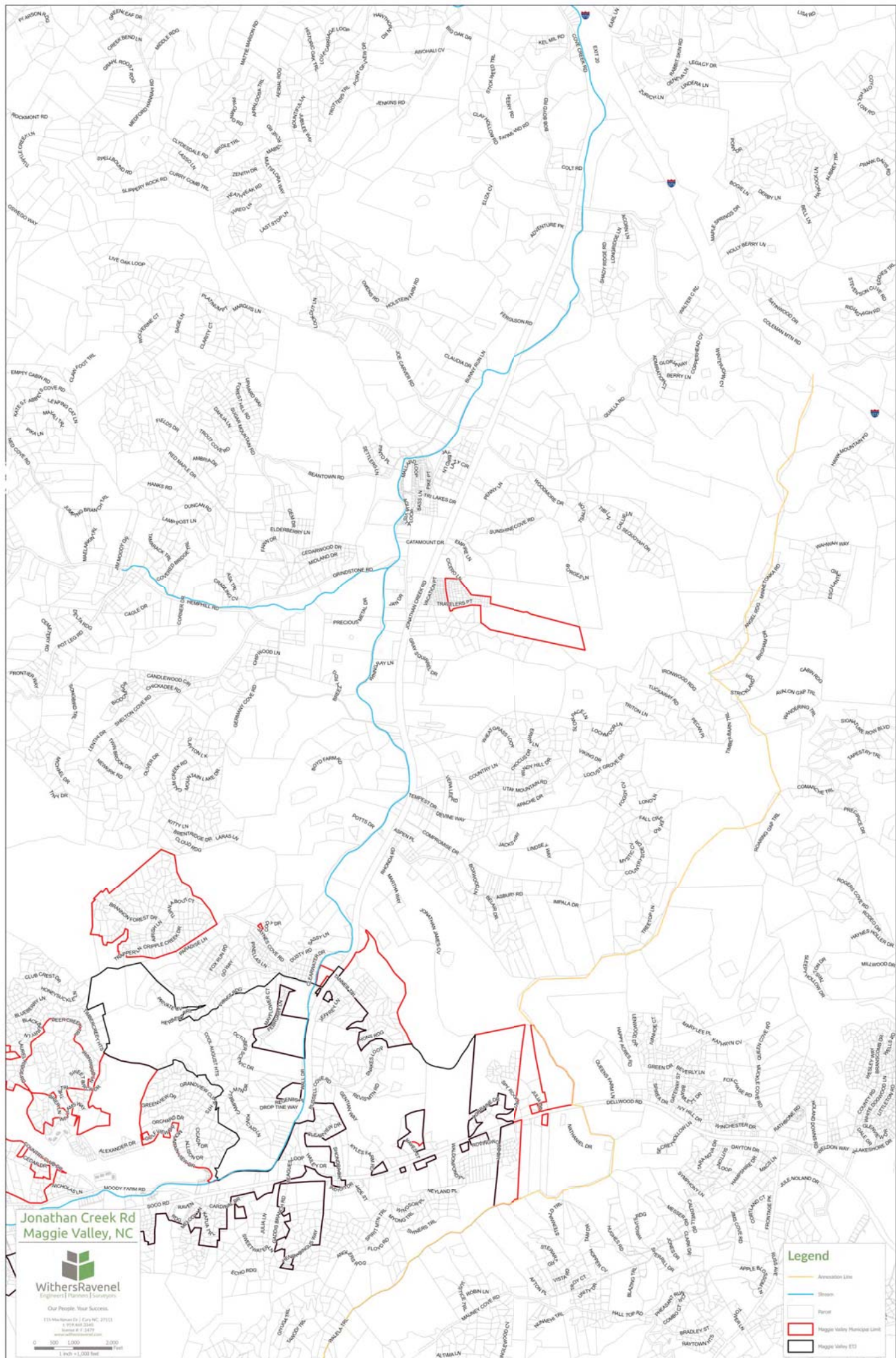
ATTACHMENTS

- Town of Waynesville and Town of Maggie Valley Annexation Agreement.
- Proposed Map: Maggie Valley Base Map with Annexation Line
- Proposed Map: Maggie Valley Jonathan Creek Road Map

MANAGER'S COMMENTS AND RECOMMENDATIONS

- The current map and language of the agreement is unchanged and this public hearing will be just to renew the terms of the previous agreement.





ANNEXATION AGREEMENT

STATE OF NORTH CAROLINA COUNTY OF HAYWOOD

WHEREAS, the Town of Maggie Valley and the Town of Waynesville duly incorporated municipalities under the laws of the State of North Carolina, desire to eliminate uncertainty among residents and property owners in unincorporated areas adjacent to the participating municipalities and also to improve planning by public and private interests in such areas; and

WHEREAS, Chapter 143 of the 1989 Session Laws of the North Carolina General Assembly (hereinafter referred to as the "Act") authorizes municipalities to enter into binding agreements concerning future annexation in order to enhance orderly planning by such municipalities as well as residents and property owners in areas adjacent to such municipalities;

NOW, THEREFORE, THE PARTICIPATING MUNICIPALITIES AGREE AS FOLLOWS:

1. This Agreement is executed pursuant to the authority of the Act, codified as G.S. Chapter 160A, Article 4A, Part 6.
2. This Agreement shall terminate 20 years after its effective date.
3. A. The Town of Maggie Valley may not annex the following areas (the areas south and east of Section A as shown on the attached map labeled "Annexation Agreement Map", which is part of this Agreement)

B. The Town of Waynesville may not annex the following areas: (the areas north and west of Section B as shown on the attached map labeled "Annexation Agreement Map", which is part of this Agreement).
4. The effective date of this Agreement is April 10, 2007, or the date of adoption of the approving ordinance by the last participating municipality to do so, whichever is later.
5. Both participating municipalities waive the time period for notification of annexation.
6. This Agreement will not be effective unless each participating municipality has held a public hearing on this Agreement, or the participating municipalities have held a joint public hearing, prior to adopting the ordinance approving this Agreement. Until such time as the required public hearings are held and the respective approving ordinances are adopted, this shall be considered a proposed agreement.
7. This Agreement may be modified or terminated by a subsequent agreement entered into by the participating municipalities. Any subsequent agreement shall be approved by ordinance after public hearings as provided in G.S. 160A-31 (c)
8. This Agreement shall not be binding beyond three miles of the primary corporate limits of a participating municipality, unless approved by the Board of County Commissioners with jurisdiction over the area. Provided, however, that an area where this Agreement is not binding

because of failure of the Board of County Commissioners to approve it, shall become subject to this Agreement if subsequent annexation brings it within three miles. The approval of a Board of County Commissioners shall be evidenced by a resolution adopted after a public hearing as provided in 160A-58.24(c) and (e) and 160A-31(c).

9. This Agreement may be terminated unilaterally by a participating municipality or a participating municipality may withdraw from this Agreement by repealing the ordinance which approved the Agreement and providing five years written notice to the other participating municipality. Upon the expiration of the five-year period, this Agreement shall terminate.

10. From and after the effective date of this agreement, no participating municipality may adopt an annexation ordinance as to all or any portion of an area in violation of the Act or this Agreement.

11. Nothing in the Act nor this Agreement shall be construed to authorize the annexation of any area which is not otherwise subject to annexation under applicable law.

12. Any participating municipality which shall believe that a violation of the Act or this Agreement has occurred shall have available to it all remedies and relief authorized by the Act in addition to such remedies or relief as are authorized by other applicable law.

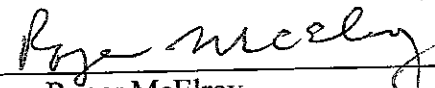
13. This writing contains the entire agreement between the participating municipalities

IN WITNESS WHEREOF, the mayors of the participating municipalities execute this Agreement in Duplicate, to become effective as provided in Paragraph 4 above. This the 10th day of April 2007.

TOWN OF MAGGIE VALLEY

ATTEST:


Vickie Best, CMC, Town Clerk

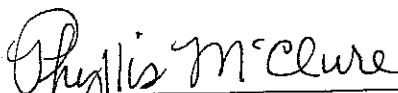

Mayor Roger McElroy

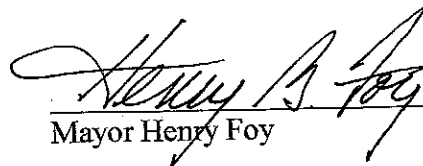
APPROVED TO FORM:


Clarence Dickson, Attorney

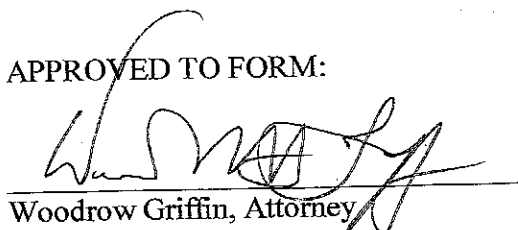
TOWN OF WAYNESVILLE

ATTEST:

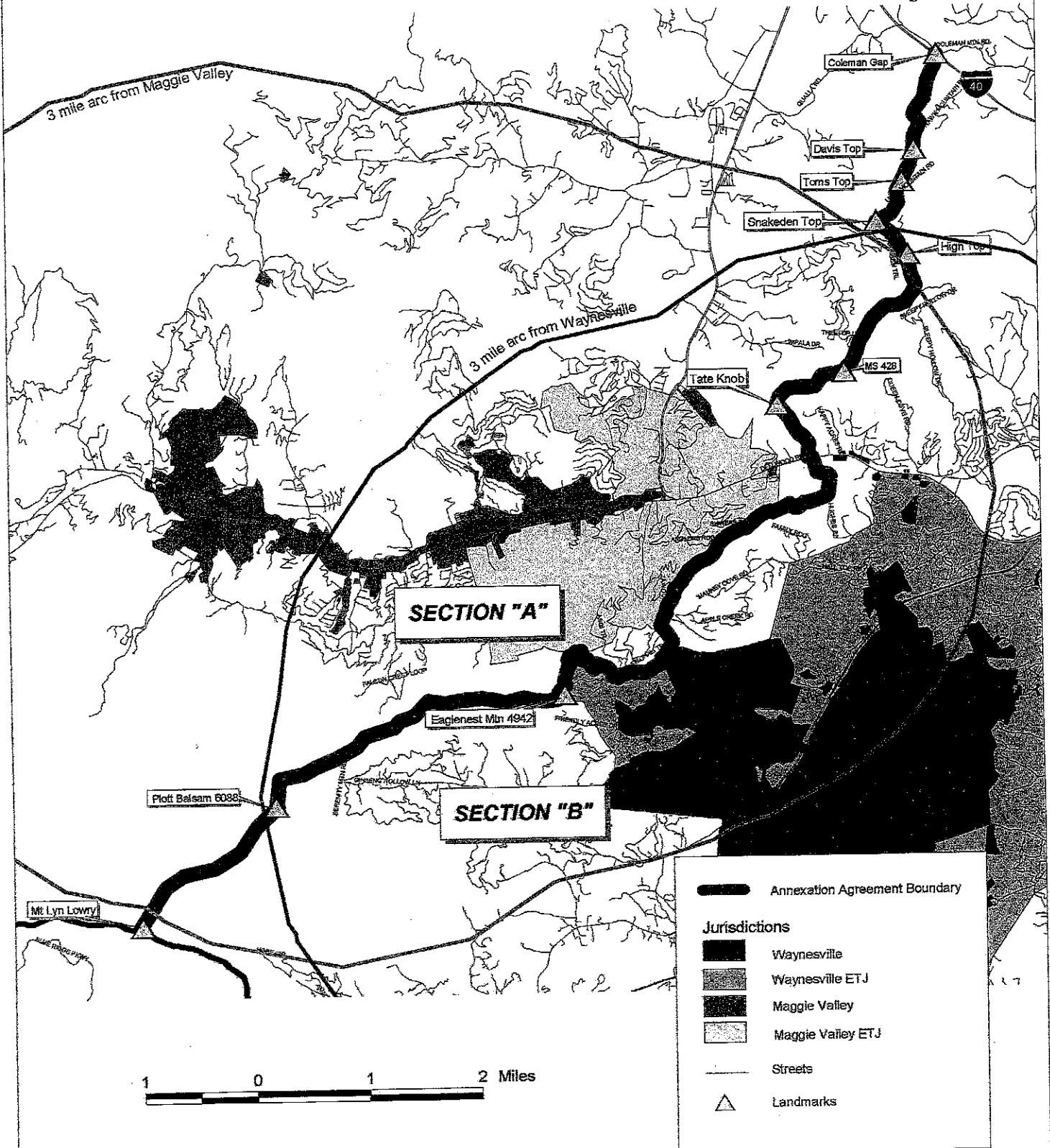

Phyllis McClure, CMC, Town Clerk


Mayor Henry Foy

APPROVED TO FORM:


Woodrow Griffin, Attorney

Town of Maggie Valley - Town of Waynesville Annexation Agreement Map



**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: 11/22/22**

SUBJECT: Recommendation to Rename the Downtown Waynesville Advisory Committee (DWAC) to the Downtown Waynesville Commission (DWC).

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Administration
Contact: Beth Gilmore, Downtown Waynesville Director
Presenter: **Beth Gilmore, Downtown Waynesville Director**

BRIEF SUMMARY:

The Downtown Waynesville Advisory Committee (DWAC) has undergone a rebranding process in order to better promote itself as a destination throughout the region. As a part of this rebranding process, the DWAC is requesting that the board of Aldermen approve a changing of their official name from the downtown Waynesville Advisory Committee to the Downtown Waynesville Commission.

MOTION FOR CONSIDERATION:

- Motion to change the official name of the downtown Waynesville Advisory Committee to the Downtown Waynesville Commission.

FUNDING SOURCE/IMPACT:

ATTACHMENTS

MANAGER'S COMMENTS AND RECOMMENDATIONS