

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**Regular Meeting**  
**November 8<sup>th</sup>, 2022**

**THE WAYNESVILLE BOARD OF ALDERMEN** held a regular meeting on Tuesday November 8<sup>th</sup>, 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