

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
Regular Meeting
March 28, 2023

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, March 28, 2023, at 6:00 pm. in the Town Hall Board Room located at 9 South Main Street Waynesville, NC.

A. CALL TO ORDER

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

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

The following staff members were present:

Rob Hites, Town Manager
Jesse Fowler, Assistant Town Manager
Candace Poolton, Town Clerk
Martha Bradley, Town Attorney
Police Chief, David Adams
Joey Webb, Fire Chief
Chris Mehaffey, Assistant Fire Chief
Misty Hagood, Finance Director
Jeff Stines, Director of Public Services
Elizabeth Teague, Planning Director
Olga Grooman, Land Use Administrator
Sharon Agostini, Tax Collector

Members of the media:

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

Others present:

Adeline Wolfe, Mountain Housing Opportunities
Lake Silver, Congressional Representative for Congressman Edwards

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and had no announcements. He introduced Lake Silvers, Congressional Representative for Congressman Chuck Edwards to the seven Western counties in North Carolina.

Mr. Silvers thanked the Board for having him and said he is looking forward to providing constituent services for the Town. He added that on April 12th, Congressman Edwards will be in Waynesville.

B. PUBLIC COMMENT

Jon Nowakowski- 101 East St Waynesville: Mr. Nowakowski said that he feels the Town is giving too much money to developers. He said that we need more affordable housing, but because of the tax rate, housing is less affordable. He added that because Mountain Housing Opportunities already has 1100 rentals, they do not need more funding.

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 February 14th, 2023 Regular meeting
- b. Adoption of minutes of the February 28th, 2023 Board Retreat
- c. Whole Blooming Thing Special Event Permit
- d. Sarge’s 18th Annual Dog Walk Special Event Permit
- e. Waynesville Main Street Mile Special Event Permit

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. CALL FOR PUBLIC HEARING

- 3. Resolution of Intent to amend the Town’s charter to change it method of elections to that of staggered four-year terms and change its “style of governing board” to that of Town Council
 - Rob Hites, Town Manager

Town Manager Rob Hites reminded the Board of the motion made at the Board Retreat regarding changing the name from “Board of Aldermen” to “Town Council” and to introduce staggered terms at the next election. To begin that process, Mr. Hites presented a Resolution of Intent tonight, which must be passed before holding

a public hearing to discuss these changes. He said to make changes to the charter, they must follow G.S. 160A, Sections 101 and 102, and this is the first step.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to adopt a "Resolution of Intent" as written to set a public hearing for April 11th, 2023, at 6:00 pm in the Town Hall Board Room to consider two charter amendments, (1) to change the terms of office of member of the council and (2) to change the style of the governing board to that of Town Council. The motion passed unanimously.

4. Call for a Public Hearing for April 11, 2023 to consider a text amendment to Article IV, Taxicabs to include provisions related to pedicabs/rickshaws in the Waynesville Code of Ordinances.
 - Olga Grooman, Land Use Administrator

Land Use Administrator, Olga Grooman, reported that an applicant approached them wanting to start a rickshaw business. The applicant plans to give tours and provide transportation services on a hybrid bicycle powered rickshaw, also known as a pedicab. This mobile business does not fall under any zoning use categories. However, it involves driving on public streets and transporting passengers. Ms. Grooman added that Vehicle registration requirements would not be applicable to rickshaws/pedicabs, but the permitting process and police monitoring will be similar to approval of taxicabs to ensure traffic, public, and passengers' safety. She said that safety measures include requirements that operators undergo a background checks and fingerprinting, and that the rickshaw/pedicab be initially inspected and then again at the permit renewal by the police annually. Ms. Grooman said that the Development staff have reached out to other jurisdictions to get their input on regulations and potential issues.

A motion was made by Alderman Anthony Sutton, seconded by Alderwoman Julia Freeman, to call for a Public Hearing for April 11, 2023 to consider the text amendment to Article IV, Taxicabs to include regulations related to pedicabs/rickshaws in the Waynesville Code of Ordinances. The motion passed unanimously.

5. Call for a Public Hearing for April 11, 2023, to consider a Community Development Block Grant (CDBG) application for an estimated 2.5 million dollars in water and sewer infrastructure improvements in south Waynesville.
 - Elizabeth Teague, Planning Director

Planning Director, Elizabeth Teague, reported that the Town has been working with McGill and to evaluate and design water and sewer infrastructure replacement in south Waynesville. Ms. Teague requested that the Board hold a Public Hearing to get public input, then they will move forward with the CDBG Grant application. She added that this infrastructure replacement project will benefit 780 people in the areas of Sawyer, Hendrix, Franklin, and Muse Streets. 60% of those residents are low to moderate income.

A motion was made by Alderwoman Julia Freeman, seconded by Alderman Chuck Dickson, to call for a Public Hearing for April 11, 2023, on a CDBG grant application, and to schedule a presentation and final draft approval for the April 25, 2023, Board of Aldermen Meeting. The motion passed unanimously.

F. PUBLIC HEARING

6. Public Hearing: Mountain Housing Opportunities Affordable Housing Incentive Adjustment

- Jesse Fowler, Assistant Town Manager

A motion was made by Alderman Anthony Sutton, seconded by Alderwoman Julia Freeman, to open the Public Hearing at 6:23pm. The motion passed unanimously.

Assistant Town Manager, Jesse Fowler, reported that in 2021, the Board approved \$167,154 worth of Affordable Housing Policy incentives to be used for sewer infrastructure for the Mountain Housing Opportunities low-income housing project on Howell Mill Road. It took a few years for MHO to secure funding for the project-prices have since increased, which is why MHO is asking the Board to increase the incentive amount to \$284,000 to meet the new increased costs. \$184,000 will be reimbursed to the Town of Waynesville Sewer Fund.

Alderman Jon Feichter asked who will be supplying electric service. Mr. Hites replied that Duke Energy would be supplying service because they have corridor rights, but that he could double check with Duke to see if the Town could potentially provide power to this project area. Alderman Feichter also asked about the timeline for when citizens could start leasing. Ms. Adeline Wolfe replied that construction would start in August, and would last 16 months, then people could begin leasing. There was discussion about the size of the apartments and how much rent would be-there will be 84 units total ranging widely in cost. Alderman Feichter asked if the property would be tax exempt. Ms. Wolfe replied that for now, that is the plan, but she is willing to discuss that potentially changing in the future if needed.

Public Comment:

Jon Nowakowski- 101 East St Waynesville: Mr. Nowakowski asked if the \$284,000 is in addition to the original \$167,154? Mr. Hites clarified that \$284,000 is the total amount being given to MHO, \$184,000 of that which will be essentially given back to the Town's sewer fund.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to close the Public Hearing at 6:45pm. The motion passed unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson amend the Affordable Housing Incentive granted to Mountain Housing Opportunities in the amount of \$284,000 for the purpose of extending sanitary sewer infrastructure across Howell Mill Road. The motion was passed unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to approve the Budget Amendment No. 16, Ordinance O-15-23 in the amount of \$284,000. The motion was passed unanimously.

G. NEW BUSINESS

7. Request by Bill Knight to reduce the speed limit on Henson Drive from 35 mph to 20 mph.
 - Rob Hites, Town Manager

Town Manager Rob Hites reported that Henson Road is difficult to navigate at 35mph. Trash cans are being knocked over and residents feel that speed is unsafe.

A motion was made by Alderman Chuck Dickson, seconded by Alderwoman Julia Freeman, to reduce the speed limit on Henson Road from 35 to 20 mile per hour. The motion passed unanimously.

8. Budget Amendments for the increase in gas and diesel prices
 - Misty Hagood, Finance Director

Finance Director, Misty Hagood, reported that gas and diesel prices continue to rise, so they need a budget increase to get through the end of the year.

A motion was made by Alderwoman Julia Freeman, seconded by Alderman Chuck Dickson, to approve the attached Amendment to the 2022-2023 Budget Ordinance. The motion passed unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderwoman Julia Freeman, to approve the Resolution Amending the Financial Operating Plan for the Garage Internal Service Fund. The motion passed unanimously.

9. Report on Apparatus Needs: Fire Department
 - Joey Webb, Fire Chief & Chris Mehaffey, Assistant Fire Chief

Assistant Fire Chief, Chris Mehaffey, reported that the newest engine the Town has is 10 years old, the second oldest is 13 years old. He said 25% of the time, one or both engines are out of service during the year. The backups are almost 30 years old. Maintenance costs keep increasing and the fire trucks are aging out. He added that if they were to order a new engine today, it would take 2-5 years to receive it.

Fire Chief Joey Webb found a truck that is currently in production that a Kentucky fire department defaulted on, and it meets the requirements of the Town's fire department. He said it would be ready by July of 2023. Mr. Webb would like for the Board to approve the purchase of this engine, which is much needed. He added that the total amount needed to purchase and outfit this truck would be \$800,000. Mr. Webb said there is a sense of urgency because several other dealers are trying to purchase the same truck. Mr. Hites said that Ms. Hagood, Finance Director, said the Town can move forward with the purchase order.

A motion was made by Alderman Anthony Sutton, seconded by Alderwoman Julia Freeman to adopt the Ordinance No. O-14-23, Amendment No. 17 in the amount of \$800,000. The motion passed unanimously.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson to approve Reimbursement Resolution R-05-23 declaring the intent to reimburse expenditures in the amount of \$800,000. The motion passed unanimously.

10. Resolution Requesting the Haywood County Board of Commissioners to increase the Town's Fire District Tax from six (6) to eight (8) cents.

- Joey Webb, Fire Chief

Fire Chief, Joey Webb, reviewed the home insurance savings for homeowners within and outside of their district. He said for a home valued at \$250,000, they would save \$300 a year. He added that the fire tax rate has been at 6 cents since 1979, and the amount of calls answered has increased. Mr. Webb said he would like to approach County Commissioners with a resolution stating they would like to raise the fire tax rate by 2 cents. He said that most other fire districts are already raising the tax rate to 10 cents. Chief Webb said at this point in time he feels that 8 cents is enough.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to approve the attached resolution requesting the Haywood County Board of Commissioners increase the Fire District Tax from six (6) to eight (8) cents per \$100 valuation. The motion passed unanimously.

11. Budget Amendment to the Water Fund for treatment chemicals

- Misty Hagood, Finance Director

Finance Director, Misty Hagood, reported that the cost of chemicals used to treat the Town's water is up 50% from this time last year.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Jon Feichter, to approve the attached Budget Amendment No. 15, Ordinance O-13-23 in the amount of \$75,000. The motion passed unanimously.

12. Report on Unpaid Property Taxes/Yearly Tax Advertisement in Local Newspaper

- Sharon Agostini, Tax Collector

Tax Collector, Sharon Agostini, reported that she has been increasing the amount of written, email, and phone call delinquent notices to delinquent taxpayers.

Alderman Chuck Dickson said that publishing names in the paper may not be effective, but wage and rent garnishments will be.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to approve the yearly tax advertisements in The Mountaineer in accordance with N. C. G. S.105-369. The motion was passed unanimously.

13. Conduit Install for Queens Farm Subdivision

- Jeff Stines, Public Services Director

Public Services Director, Jeff Stines, reported that utilities are being installed and grading is being done at the Queen's Farm sub-division. Mr. Stines said he reached out to three contractors to look at the cost of installing

the necessary conduit to accommodate the power infrastructure for the subdivision. He said the lowest bidder was Southern Appalachian Grading.

A motion was made by Alderman Chuck Dickson, seconded by Alderwoman Julia Freeman, to award the bid of installing the underground conduit in the Queens Subdivision to Southern Appalachian Grading in the amount of \$75,000. The motion passed unanimously.

14. Grant Manager Position Description- Pay and Classification

- Rob Hites, Town Manager

Town Manager Rob Hites reminded the Board that at the Retreat, they voted to create a Grant Manager position. After thorough research, staff created a job description and pay range of \$47,819-\$76,511. He said staff would hire based on experience and education.

A motion was made by Alderman Jon Feichter, seconded by Alderman Chuck Dickson, to approve the Position Description and Pay Classification for the Grant Manager position. The motion passed unanimously.

15. Human Resource Director Pay and Classification Description

- Rob Hites, Town Manager

Town Manager Rob Hites reminded the Board that the Town had previously had a Human Resources Director in the past. He said the pay range is \$61,200-\$106,080. He said staff would hire based on experience and education.

A motion was made by Alderman Anthony Sutton, seconded by Alderwoman Julia Freeman, to approve the Position Description and Pay Classification for the Human Resources Director. The motion passed unanimously.

16. Water Treatment Plant Valve Install

- Jeff Stines, Public Services Director

Public Services Director, Jeff Stines, reported that they need to replace 12 existing 24" basin gate valves. He said that McGill handled the bidding process for this project. Mr. Stines said that Carolina Specialties got the bid because the other company did not provide a 5% bid bond, which was a requirement.

A motion was made by Alderman Anthony Sutton, seconded by Alderman Chuck Dickson, to award the bid of valve installation at the Water Treatment Plant to Carolina Specialties in the amount of \$153,745.14. The motion passed unanimously.

17. Recommendation to Remove a Member of the Waynesville Public Art Commission

- Jesse Fowler, Assistant Town Manager

Assistant Town Manager, Jesse Fowler, reported that Sam McCarson, a member of the Waynesville Public Art Commission (WPAC), has not been attending meetings. He added that at the last WPAC meeting, the

Commission members voted unanimously to recommend that Sam McCarson be removed from WPAC due to repeated absences.

Alderwoman Julia Freeman asked Mr. Fowler for clarification on how to handle members that will show up to meetings, then leave during meetings. Mr. Fowler responded that Advisory Boards and Committees serve at the pleasure of the Board, so members can be removed at any time.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to remove Sam McCarson from the Waynesville Public Art Commission. The motion passed unanimously.

H. COMMUNICATION FROM STAFF

18. Manager's Report

- Town Manager, Rob Hites

Assistant Town Manager, Jesse Fowler, reported that he received a last-minute special event permit for the annual Cross Walk for the First Baptist Church. This event will be next Friday, the 7th, and will require a rolling roadblock of Main Street.

A motion was made by Alderman Chuck Dickson, seconded by Alderman Anthony Sutton, to approve the special event permit for the annual Cross Walk. The motion passed unanimously.

Police Chief David Adams reported that there will be the annual Easter Egg Hunt at Vance Street Park on Saturday, April 8th 10am-12pm.

Town Manager Rob Hites reminded the Board that there will be a dedication of the greenway bridge, Thursday, March 30th at 4pm. He also reported that staff will be fixing the drainage issue at the All Abilities playground. He added that the Rec Center will no longer has any full-time lifeguards in two weeks.

19. Town Attorney Report

- Town Attorney, Martha Bradley

Nothing to report.

I. COMMUNICATIONS FROM THE MAYOR AND BOARD

Alderman Jon Feichter said thank you to the Development team and Haywood Waterways for the magnet they sent out to residents that states how to properly dispose of waste, etc.

J. ADJOURN

A motion was made by Alderwoman Julia Freeman, seconded by Alderman Chuck Dickson, to adjourn at 7:47pm. The motion passed unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Candace Poolton, Town Clerk