

Town of Waynesville, NC

Town Council Regular Meeting

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

Date: August 13th, 2024 Time: 6:00 p.m.

The agenda and all related documentation may be accessed electronically at www.waynesvillenc.gov.
Click on "Government/Mayor & Council" to download materials for Town Council meetings.

Consider the environment ♦ Conserve resources ♦ Print only when necessary

The Town of Waynesville provides accessible facilities, programs, and services for all people, in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or accommodation for this meeting, please contact the Town Clerk at:
(828) 452-2491 cpoolton@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 Town Council and will be enacted by one motion. There will be no separate discussion on these items unless a Councilmember 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. July 9, 2024 Regular Scheduled Meeting Minutes
 - b. Appointment of Dave Barone as Chairman to the Downtown Waynesville Commission
 - c. Appointment of Leisa Denti to the Waynesville Historic Preservation Commission
 - d. Appointment of Mark James to the Waynesville Public Art Commission
 - e. Waynesville Police Officers Association Lease Agreement for Maintenance
 - f. Greenhill Cemetery Tour Special Event Permit
 - g. Main Street Mile Special Event Permit

Motion: To approve the consent agenda as presented.

E. PRESENTATION

3. Report on Environmental Sustainability Committee Activity
 - Mayor Pro Tem Chuck Dickson

F. PUBLIC HEARING

4. Public hearing to consider a Zoning Map Amendment for 225 Church Street, PIN 8615-27-0218, from Main Street Neighborhood Residential (MS-NR) to Main Street Residential Mixed Use Overlay (MS-NRMXO, per section 15.14 of the Land Development Standards.
- Elizabeth Teague, Director of Development Services

Motions:

1. ***Motion to find that the request is Consistent with the Town of Waynesville 2035 Comprehensive Plan.***
2. ***Motion to approve the attached ordinance to establish an overlay district at 225 Church Street.***

G. NEW BUSINESS

5. Request of Town Staff for Council direction on a grant application to the Great Trails State Program Grant to extend the Town's Greenway System towards Lake Junaluska.
- Elizabeth Teague, Director of Development Services

Motion: To direct staff to complete an application to the Great Trails State coalition and to work with community partners to develop a plan and budget.

6. Request from Building Inspections to approve the Resolution Authorizing Demolition of 1727 South Main Street and for bid to contract to demolish the building
- Elizabeth Teague, Director of Development Services & David Kelley, Building Inspector

Motions:

1. ***Motion to adopt the Resolution Authorizing Demolition.***
2. ***Motion to approve the contract to demolish.***

7. Recommend award of contract to Carolina Specialty Fitness in the amount of \$49,518.88 (\$46,459.23 before tax) for cardio equipment replacement at the recreation center.
- Luke Kinsland, Recreation Director

Motion: To award the contract for cardio equipment replacement to Carolina Specialty Fitness in the amount of \$49,518.88 (\$46,459.23 before tax).

8. Wastewater Treatment Plant: Mounting Platform for Floating Aerators, Safety Switches for Belt Press
- Jeff Stines, Public Services Director

Motions:

1. ***Approve the bids of A.C.M.I. to fabricate the platform for the aerators and purchase and installation of safety switches for the belt press.***

2. *Approve the Budget Amendment as presented.*

9. TextMyGov Service Contract
- Jesse Fowler, Assistant Town Manager

Motion: *Motion to approve the TextMyGov service contract.*

H. COMMUNICATION FROM STAFF

10. Manager's Report
- Town Manager, Rob Hites
11. Town Attorney Report
- Town Attorney, Martha Bradley

I. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

J. CLOSED SESSION

12. Closed Session
- Town Attorney Martha Bradley

Motion: *Motion to go into closed session pursuant to N.C.G.S. § 143-318.11 to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.*

K. ADJOURN



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

August 2024

ALL COUNCIL MEETINGS TO START AT 6:00 PM IN THE BOARD ROOM LOCATED AT 9 SOUTH MAIN STREET UNLESS OTHERWISE NOTED

2024	
Thurs, August 22	Cemetery Master Plan Public Meeting 4-6pm in the Public Services Training Room (129 Legion Dr)
Tues, August 27	Town Council Meeting – CANCELLED
Mon Sept. 2	Town Offices Closed-Labor Day
Tues, September 10	Town Council Meeting – Regular Session
Tues. September 24	Town Council Meeting – Regular Session
Tues. October 8	Town Council Meeting – Regular Session
Sat. October 12	Church Street Art and Craft Show 10am-5pm
Tues. October 22	Town Council Meeting – Regular Session
Thurs. October 31 st	Treats on the Street 5-7pm
Mon November 11	Town Offices Closed-Veteran’s Day
Tues. November 12	Town Council Meeting – Regular Session
Thurs. & Fri. November 28 & 29	Town Offices Closed-Thanksgiving
Sat. November 30 th	Christmas Tree Lighting 6-7pm
Mon. December 2 nd	Waynesville Christmas Parade 4-6pm
Tues. December 10	Town Council Meeting – Regular Session
Sat. December 14	A Smoky Mountain Christmas 6-9pm
Tues, Wed, Thurs December 24, 25, and 26	Town Offices Closed-Christmas

Board and Commission Meetings – August 2024

ABC Board	ABC Office – 52 Dayco Drive	August 20th 3 rd Tuesday 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	August 6th 1 st Tuesday 5:30 PM
Cemetery Commission	Public Services Building	January, March, July, and October 3 rd Tuesday 2:00 PM
Downtown Waynesville Commission	Municipal Building – 16 South Main Street	August 20th 3 rd Tuesday 8:30 AM
Environmental Sustainability Board	Municipal Building-16 South Main Street	August 15th 1 st and 3 rd Thursdays 4:30pm
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	August 7th 1 st Wednesday 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	August 19th 3 rd Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	August 8th 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	August 18th 3 rd Monday 5:30 PM
Waynesville Housing Authority	Main Office-48 Chestnut Park Drive	August 21st 3 rd Wednesday 9:00 AM

MINUTES OF THE TOWN OF WAYNESVILLE TOWN COUNCIL
Regular Meeting
July 9, 2024

THE WAYNESVILLE TOWN COUNCIL held a regular meeting on Tuesday, July 9, 2024, at 6:00pm 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 6:00 pm with the following members present:

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

The following staff members were present:

Rob Hites, Town Manager
Jesse Fowler, Assistant Town Manager
Candace Poolton, Town Clerk
Town Attorney Martha Bradley
Elizabeth Teague, Director of Development
Ian Barrett, Finance Director
Taylor Garland, Assistant Finance Director
Sharon Agostini, Tax Collector
Page McCurry, H.R. Director
Police Chief David Adams

Members of the Media:

Paul Nielson, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and announced that the next Town Council meeting will be held on August 13th, and Mountain Street Dances will be held Friday July 12th and August 9th.

B. PUBLIC COMMENT

No public comment.

C. ADDITIONS OR DELETIONS TO THE AGENDA

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to approve the agenda as presented. The motion passed unanimously.

D. CONSENT AGENDA

All items below are routine by the Town Council and will be enacted by one motion. There will be no separate discussion on these items unless a Councilmember 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. Approval of June 25, 2024 Regular Scheduled Meeting Minutes
 - b. Approve McGill Associates as “sole source vendor” for CDBG-I grants 23-I-4153 and 23-I-4154.
 - c. Motion to approve the Budget Amendment for the Administration/Human Resources Department.
 - d. Motion to approve the Budget Amendment for the Administration/DWC
 - e. Motion to approve the Budget Amendment for the Administration/DWC(#2)
 - f. Motion to approve the Budget Amendment for the Administration/DWC(#3)
 - g. Motion to approve the Budget Amendment for the Administration/DWC(#4)
 - h. Motion to approve the Budget Amendment for the Police Department
 - i. Motion to call for a public hearing for August 13, 2024 to consider a Zoning Map Amendment for an overlay district at 225 Church Street.
 - j. Motion to approve the CDBG-I Semi Annual Compliance Report
 - k. Motion to approve the CDBG-I Equal Housing Opportunity Resolution R-04
 - l. Motion to approve the Budget Amendment for the Police Department (#2)

A motion was made by Councilmember Freeman, seconded by Councilmember Dickson, to approve the consent agenda as presented. The motion passed unanimously.

E. PRESENTATION

3. Presentation and Swearing in of Ian Barrett as the new Director of Finance.
 - Rob Hites, Town Manager

Town Manager Rob Hites introduced and welcomed Ian Barrett, the new Director of Finance. Town Clerk Candace Poolton administered his oath.

F. COMMUNICATION FROM STAFF

4. Manager’s Report
 - Town Manager, Rob Hites

Town Manager Rob Hites reported that the town has over \$3,000,000 in Community Block Grants. Karen Kiehna with McGill and Associates presented a report on the South Waynesville CDBG-I Grant Awards and the proposed construction:

-Installation of 1,425 ft of sewer extension along Sawyer Street and Explorer Street, serving 4 existing and 34 new residences.

-Installation of 2,140 feet of sewer lines along Hendrix, Franklin, Muse, and Sawyer Streets, serving 45 existing residences.

-Installation of 1,255 feet of an extension of the water line, adding four new fire hydrants to Sawyer and Explorer Street.

Ms. Kiehna reported that all Compliance Plans and Policies for all three grants are complete, as well as the Engineering Report. She added that NCDEQ has approved the Phase I Sewer Extension Report.

Councilmember Dickson asked if the new customers would be charged a tap fee and Mr. Hites said no. Ms. Kiehna emphasized that staff will not have to come into the house to establish new service. Ms. Teague added that staff met with residents in the area to let them know about the new water and sewer system.

5. Town Attorney Report

- Town Attorney, Martha Bradley

Nothing to report.

G. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

Mayor Gary Caldwell reported that the 4th of July kids parade went well. Councilmember Dickson requested (and Council agreed) that staff to do an assessment on the value of the town's services and staffing for special events, and for staff to propose a schedule of fees for special events. He requested that staff look into creating a street closure policy.

Councilmember Feichter said he was proud of the Waynesville community for coming together during the Pride Festival. Councilmember Sutton thanked everyone for their support.

H. ADJOURN

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to adjourn at 6:28pm. The motion passed unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Candace Poolton, Town Clerk

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: August 13 2024**

SUBJECT: Appointment of Dave Barone as the Chairman to the Downtown Waynesville Commission

AGENDA INFORMATION

Agenda Location: Consent Agenda
Item Number:
Department: Administration
Contact: Beth Gilmore, Executive Director
Presenter: Beth Gilmore, Executive Director

BRIEF SUMMARY

Downtown Waynesville Commission Chair Jay Spiro's term expired as chair on June 30. The Downtown Waynesville Commission voted unanimously in June to recommend Dave Barone be appointed as the Commission's new chair.

MOTIONS FOR CONSIDERATION

Motion to appoint Dave Barone as Chair of the Downtown Waynesville Commission.

ATTACHMENTS:

MANAGER'S COMMENTS AND RECCOMENDATIONS

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: August 13, 2024**

SUBJECT: Appointment of Leisa Denti to the Waynesville Historic Preservation Commission

AGENDA INFORMATION

Agenda Location: Consent Agenda
Item Number:
Department: Administration
Contact: Elizabeth Teague, Development Services Director
Presenter: Elizabeth Teague, Development Services Director

BRIEF SUMMARY

The Waynesville Historic Preservation Commission has one vacancy. If appointed, Ms. Denti's term would end June 30th, 2027. Ms. Denti lives within town limits

MOTIONS FOR CONSIDERATION

Motion to appoint Leisa Denti to the Waynesville Historic Preservation Commission

ATTACHMENTS:

MANAGER'S COMMENTS AND RECCOMENDATIONS

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: August 13, 2024**

SUBJECT: Appointment of Mark James to the Waynesville Public Art Commission

AGENDA INFORMATION

Agenda Location: Consent Agenda
Item Number:
Department: Administration
Contact: Jesse Fowler, Assistant Town Manager
Presenter: Jesse Fowler, Assistant Town Manager

BRIEF SUMMARY

The Waynesville Public Art Commission has one vacancy. If appointed, Mr. James' term would end June 30th, 2027. Mr. James lives within town limits.

MOTIONS FOR CONSIDERATION

Motion to appoint Mark James to the Waynesville Public Art Commission

ATTACHMENTS:

MANAGER'S COMMENTS AND RECCOMENDATIONS

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: August 13, 2024**

SUBJECT: Waynesville Police Officers Association Lease Agreement for Maintenance

AGENDA INFORMATION

Agenda Location: New Business
Item Number:
Department: Administration
Contact: Jesse Fowler, Assistant Town Manager
Presenter: Jesse Fowler, Assistant Town Manager

BRIEF SUMMARY

The Waynesville Police Officers Association (WPOA) is a North Carolina Non-Profit Organization primarily servicing the Town of Waynesville Police Department (WPD). The WPOA owns real property located at 307 Happy Hill Road. The WPOA has historically granted the WPD full access, at no cost, to this property for the purpose of satisfying their mandatory training and qualifications standards. The Property has an obstacle course, shooting range, as well as classroom facilities.

The WPOA approached the Town of Waynesville and requested that the Town be responsible for the mowing and maintenance of the property. After consulting with the Public Services Department and the Parks and Recreation Department, Town staff concluded that we would not be able to adequately maintain the property at our current staffing levels, and the Town of Waynesville property and liability insurance representatives voiced concerns over Town staff maintaining private property.

The attached lease agreement is structured so that the Town of Waynesville can pay a proper rental fee for use of the property, and that income will be used by the Waynesville Police Officers Association to pay for a private landscaping firm which will be responsible for the regular maintenance of the property.

MOTIONS FOR CONSIDERATION

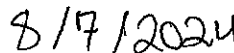
Motion to approve the lease agreement by and between the Town of Waynesville and the Waynesville Police Officers Association.

FUNDING SOURCE(S):

\$2,500 annually from the Waynesville Police Department, Professional Services. 104310-521990



Ian Barrett, Finance Director



Date

ATTACHMENTS:

- Town of Waynesville and WPOA Lease Agreement

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Lease Agreement
Town of Waynesville and Waynesville Police Officers Association

This Lease Agreement ("Agreement") is made and entered into on _____, by and between the Town of Waynesville, NC ("TOW") and the Waynesville Police Officers Association ("WPOA") for the exclusive use of property located at 337 Happy Hill Road, Waynesville, NC 28786.

1. Lease of Property:

The WPOA agrees to lease the property located at 337 Happy Hill Road, Waynesville, NC 28786 to the TOW for the purpose of use of a training facility and shooting range for the Waynesville Police Officers.

2. Term of Lease:

The term of this lease shall begin on August 13, 2024 and end on June 30, 2033. Unless otherwise notified by either TOW or WPOA, this lease shall renew annually following the date of June 30, 2033. This lease may be rescinded at any time by either TOW or WPOA following a notice of 30 days.

3. Rent:

TOW agrees to pay a monthly rent of \$208.33, totally annually as \$2,500.00 to the WPOA for the use of the property. The rent is payable in full, and in advance, at the beginning of each fiscal year (July 1).

4. Property Maintenance:

The WPOA agrees to be responsible for the upkeep and maintenance of the property during the term of this lease.

5. Indemnification:

TOW agrees to indemnify and hold harmless the WPOA from any liability, loss, or damage arising from the use of the leased property by TOW.

6. Governing Law:

This Agreement shall be governed by and construed in accordance with the laws of the state of North Carolina.

IN WITNESS WHEREOF, the parties hereto have executed this Lease Agreement as of the date and year first above written.

Town of Waynesville, NC

Waynesville Police Officers Association

By: _____

By: _____

[Printed Name] _____

[Printed Name] _____

Title: _____

Title: President: _____

Date: _____

Date: _____



Application for Special Events Permit

I. General Information

EVENT NAME: Town Historic Preservation Commission Greenhill Cemetery Tour

EVENT DATE(S): October 12 (with Rain Date of October 19)
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: Town of Waynesville Greenhill Cemetery

IF THIS EVENT IS A PARADE OR ROAD RACE: Tour will take place on upper loop within designated historic district of cemetery. Tours will start and end at historic gate.

SET-UP TIME (START/END): 3:00pm – 6:00pm

EVENT HOURS: 4:00pm – 5:30 pm

DISMANTLE HOURS (START/END): 5:30 – 6:00pm

ESTIMATED ATTENDANCE: 80-120 people in 2-3 tour groups

BASIS ON WHICH THIS ESTIMATE IS MADE: Previous tours

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: Historic Preservation Commission

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

APPLICANT NAME: Elizabeth Teague TITLE: Development Services Director

ADDRESS: 9 South Main Street CITY: Waynesville STATE: NC ZIP 28786

PHONE: 456-8647 FAX#: _____ EMAIL: eteague@waynesvillenc.gov

ON-SITE CONTACT: Alex McKay; Alex Mumby TITLE: HPC Chair; Land Development Administrator

ADDRESS: 9 S. Main Street, Waynesville, NC 28805

PHONE #: 456-8647 CELL PHONE #: To be provided EMAIL: amumby@waynesvillenc.gov; waynesvillearchive@yahoo.com eteague@wavnsvillenc.gov

III. Brief Description of Event

The tour will feature volunteers dressed in costume, portraying various historical figures who have been interred in the cemetery. The purpose of the tour is to create a fun and interesting way to teach about Waynesville's history and the Greenhill Cemetery.

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. N/A

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? _____

Does the event involve the **sale of non-food items**? If "YES" have you applied for a privilege license? _____

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? *_Directional signage for public will be placed near Cemetery entrance during event (no sign permit required)_*_____

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

VI. Additional Questions

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

1) We will run a shuttle from downtown;

2) volunteers will direct/ park traffic as needed to keep Hillview and other streets passable.

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?

Staff and volunteers will pick up trash from event as needed.

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

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 TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date 8/13/24**

SUBJECT Report on Environmental Sustainability Committee Activity

AGENDA INFORMATION:

Agenda Location: Presentation
Item Number:
Department: Governing Body
Contact: Mayor Pro Tem Chuck Dickson
Presenter: Chuck Dickson

BRIEF SUMMARY : The Environmental Sustainability Committee has been very active in its first year. It has successfully applied for and received a “Local Energy Action Program Grant (LEAP)” The LEAP grant is a technical assistance grant that aims to direct Waynesville toward its goal of carbon neutrality by 2030. The grant coordinator has met with the Committee several times virtually and recently made a personal visit to Waynesville to see, firsthand, the possible projects for which the Committee is seeking technical assistance. The Committee has also recently applied for a Forest Service grant to aid the Town in trimming its urban canopy.

MOTION FOR CONSIDERATION: Receive the Report

FUNDING SOURCE/IMPACT: General and Electric Funds

ATTACHMENTS: None

MANAGER’S COMMENTS: See Above

**TOWN OF WAYNESVILLE COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: August 13, 2024**

SUBJECT: Public hearing to consider a Zoning Map Amendment for 225 Church Street, PIN 8615-27-0218, from Main Street Neighborhood Residential (MS-NR) to Main Street Residential Mixed Use Overlay (MS-NRMXO, per section 15.14 of the Land Development Standards.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Development Services
Contact: Elizabeth Teague
Presenter: Elizabeth Teague

BRIEF SUMMARY:

This request to impose a mixed-use overlay on this property, formerly a day care facility, would allow the building to be re-used as a studio-art space, professional offices, and a space for disabled adults / Adult Day Care, and to introduce a coffee shop and retail space into the programming of the building.

The Planning Board held a public hearing to consider this rezoning application on July 22, 2024, and unanimously voted to recommend that the application was consistent with the Comprehensive Plan and should be approved to allow a restaurant use and retail on this lot.

MOTIONS FOR CONSIDERATION:

1. Motion to find that the request is Consistent with the Town of Waynesville 2035 Comprehensive Plan.
2. Motion to approve the attached ordinance to establish an overlay district at 225 Church Street.

FUNDING SOURCE/IMPACT:

N/A

ATTACHMENTS:

- Staff Report
- Draft Ordinance
- Report from the Planning Board
- Application with maps

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Town Council Staff Report
Map Amendment Application
August 13, 2024

Agenda Item: Map Amendment (Rezoning) Application
Location: 225 Church Street
PIN: 8615-27-0218
Area: 1.143 acres
Owner: Harmony Haus, LLS Shereen Malek, Owner

Background

The property in question is a corner lot at Church and Meadow Streets that contains a school and daycare building constructed in 1930. The property contains a parking lot, playground area, school building and sidewalks along all roadway frontages. According to tax records, the building has been the St. John's Catholic Church Day Care Facility and the Southwestern Child Development Center.

The property's zoning designation is Main Street Neighborhood Residential, (MS-NR). This zoning permits out right: Child and Adult Day Care, Studios, and Cultural and Community Centers. Professional Services are allowed within this district on a corner lot such as this property, and schools are allowed with a Special Use Permit.

The purpose of the application is to re-use the school building as a cultural and community center with studios, which are permitted out-right, and to integrate a retail space and small restaurant within the building which are permitted only within a designated overlay district. The applicant has included a narrative describing her vision for the use of the property and why she is requesting the overlay re-zoning. If granted the mixed-use overlay, other MXO uses could also be possible. These include: ATMs and banks, business support services, personal services, and dry cleaning/ laundry services.

The Land Development Standards Section 2.6.2A defines a Mixed-Use Overlay District as "*a zoning overlay district established to permit certain limited mixed-uses within residential neighborhoods.*" The Table of Permitted Uses, Section 2.5.3, indicates allowable uses in overlay districts as "PL," on the table and uses allowed on corner lots within a district are indicated by "PC." Overlay districts are generally applied along road frontages of streets or in transitional areas between commercial and residential districts where limited commercial uses are deemed acceptable.

The purpose of the Main Street Neighborhood Residential District as specified in the Land Development Standards Section 2.3.3 C states:

- C. The **Main Street Neighborhood District (MS-NR)** is a walkable, in-town neighborhood separating two business districts — the Central Business District and the South Main Street Business District. In addition to the convenient location, the public library, Central Elementary School and many larger, older homes are among the amenities that make this area attractive for residential living. Future development should work to maintain this attractive area, continuing a scale and design that will attract ongoing residential use of this district. The dense tree canopy currently found in the area will be maintained and sensitivity to this canopy and the improvement of pedestrian facilities will be important with any new development.

At a special called meeting on July 22, 2024, and after a public hearing, the Planning Board unanimously approved the application, but placed a limit of allowable uses to general commercial (retail) and restaurant.

Notification of this hearing was mailed to adjacent property owners on July 23, 2024, posted with a sign on the property on July 23, 2024, and published in The Mountaineer on July 28 and August 4, 2024.

Surrounding Land Use and Zoning Pattern

The subject property is surrounded by single family residential dwellings and is directly across the street from St. John's Catholic Church. It is approximately 545 linear feet along the roadway to the Frog Level Central Business District, and approximately 245' to the recently designated railroad overlay district along Richland Street. Church Street is one of three streets that directly connect Main Street to Frog Level and Richland Avenue. The building was at one time permitted as a childcare center for up to 160 students, the daycare center for St. John's Catholic Church, and as a community school when it was built in 1930, has therefore been a traffic generator historically.

Since the public hearing at the Planning Board, neighbors have expressed concerns regarding parking that is generated by St. John's Church, particularly on Sundays. The Church has used the parking lot of the school building in addition to limited spaces on Church Street, and the concern is that if the building is activated for studios retail and a coffee shop, that the Sunday Church parking will get worse. Staff has informed the applicant / owner of these concerns, and the Harmony Haus and St. John's will need to come to agreement about use of the parking lot that is on the Harmony Haus property.

Consistency with the 2035 Comprehensive Plan

There are several areas of the [Waynesville 2035: Planning with Purpose Comprehensive Plan](#) that could be considered as relevant to the Planning Board's recommendation on this request. The purpose of the Comprehensive Plan document is to: "serve as a guideline for community decision making into the future. It is intended to be used by the town staff, the Board of Aldermen, and other Town Boards and Commissions as they make decisions about resources and land use."

In **Chapter 2 Vision and Goals**, the following goals and objectives should be considered in their relevance to this application:

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

- Encourage infill, mixed-use, and context-sensitive development

Goal 4: Protect and promote Waynesville's cultural resources.

- Invest in preservation, restoration and promotion of Waynesville's history.
- Encourage collaboration among local cultural and heritage organizations and artists to enrich our community with events and education.

Goal 5: Create opportunities for a sustainable economy.

- Encourage creatively designed, mixed-use, walkable centers and commercial districts that appeal to residents and visitors.
- Promote the growth of existing local businesses and Waynesville "maker economy."

In **Chapter 3 Recommendations**, the goal to promote small and independent businesses, entrepreneurship, and the maker economy states the importance of creating a “makerspace,” or space that supports small, local manufacturing, craft, artisans, artists, and arts education with fabrication, studio, educational and commercial space. The plan also recommends leveraging vacancy of buildings “to create business opportunities,” particularly in Frog Level and Hazelwood. (see p. 44-45)

The **Future Land Use Map**, found in the Appendix to the Comprehensive Plan (p. 174), indicates that the property being considered for map amendment to be “Mixed-Use – Community,” which is defined as:

“This designation is intended for nodes of activity areas on major streets and thoroughfares incorporating commercial retail and office, light industrial, employment centers and institutional uses to serve the community. Residential single and multifamily development of medium densities may be vertically or horizontally integrated with the commercial. These areas will likely have access to municipal utilities and development should be connected to transit and pedestrian ways. Scale of these areas should vary based on context.” (p. 27)

Staff Recommendation

The majority of the uses proposed in the redevelopment of the school building are already permitted outright in the zoning district. The question before the board is if additional uses allowed in a mixed-use overlay are appropriate to the context of the lot and the neighborhood. These are retail, restaurant, personal and business support services, ATM and banking, and laundry facilities. The uses of a small restaurant and retail space however, are what is driving the overlay rezoning request.

In past overlay applications, the Board has limited certain uses in mixed-use overlays to specific properties, and action to limit overlay request to only a restaurant and retail could be applied in this particular application for this specific property if you feel it necessary. This creates in effect a limited MXO Overlay which has to be coded separately on the official land development map and be foot-noted on the Table of Permitted Uses.

Staff agrees notes that:

1. The application is consistent with the Comprehensive Plan by fulfilling a 2035 Comprehensive Plan’s goals and recommendations.
 - It proposes to reuse a 1930’s building that is sitting empty with multiple tenants and uses, thereby creating an infill and mixed-use re-development of property.
 - It creates “makerspace,” that would provide business opportunities for local and small business owners, crafts people and artisans.
 - It is in proximity to the business centers of Frog Level and Mainstreet and falls within the “mixed-use community” designation on the future land use map.
2. The application is reasonable and in the public interest in that
 - the overlay zoning will create new business opportunities within an old school building.
 - The building has classrooms, parking, sidewalks and outdoor space to accommodate the proposed uses in the overlay district.
 - The property has an historical use commercially as a school and daycare.
 - The property is located on a corner lot that is over 1 acre, and along a street that connects the business districts of Main Street and Frog Level.

3. The Planning Board has recommended that the mixed-use overlay be applied to the property at 225 Church Street, and that the application is consistent with the Comprehensive Plan, but that overlay uses be limited to restaurant and general commercial retail. This will have the effect of allowing those uses identified as “PL” in the permitted uses table to be allowed as part of the re-use of this property, including the expressed need for a small restaurant and retail space within the old school building.

Requested Actions

1. Motion to find (or not find) the request consistent with the 2035 Comprehensive Land Use Plan.
2. Motion to adopt the attached ordinance of the requested map amendment for the property described as 225 Church Street to Main Street Neighborhood Residential Mixed Use Overlay (MS-NR-MXO).

Attachments:

- Draft Ordinance
- Report from the Planning Board
- Application and Maps
- Public Notification Materials

ORDINANCE NO. O-42-24

**AN ORDINANCE AMENDING THE OFFICIAL LAND DEVELOPMENT MAP
OF THE TOWN OF WAYNESVILLE**

WHEREAS, the Town of Waynesville has the authority, pursuant to Article 7 of Chapter 160D of the North Carolina General Statutes, to adopt land development regulations, clarify such regulations, and may amend said regulations from time to time in the interest of the public health, safety, and welfare; and

WHEREAS, the Town of Waynesville Planning Board held a public hearing on July 22, 2024, to consider an application to apply the designation of Main Street Neighborhood Residential Mixed Use Overlay at 225 Church Street, PIN 8615-27-0218 and recommended that the Town Council approve the request with a limitation of the overlay to restaurant and general commercial uses, because they found that the application was both consistent with the 2035 Comprehensive Plan and reasonable and in the public interest because:

1. It meets the 2035 Comprehensive Plan’s goals 1, 4, and 5 and the Future Land Use Map in that:
 - It proposes to reuse a 1930’s building that is sitting empty with multiple tenants and uses, thereby creating an infill and mixed-use re-development of property.
 - It creates “makerspace,” that would provide business opportunities for local and small business owners, crafts people and artisans.
 - It is in proximity to the business centers of Frog Level and Mainstreet and falls within the “mixed-use community” designation on the future land use map.

2. The application is reasonable and in the public interest in that:
 - the overlay zoning will create new business opportunities within a 1930’s school building.
 - The building has classrooms, parking, sidewalks and outdoor space to accommodate the proposed uses in the overlay district.
 - The property has historically been in use commercially as a school and daycare.
 - The property is located on a corner lot that is over 1 acre, and along a thru-street that connects the business districts of Main Street and Frog Level.

WHEREAS, after notice duly given, a public hearing was held on August 13, 2024 at the regularly scheduled meeting of the Waynesville Town Council, to consider same application and the Planning Board’s recommendations and found that the application was consistent with the Comprehensive Plan, was reasonable and in the public interest, and should be approved;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON _____ AND WITH A MAJORITY OF THE COUNCIL MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Official Land Development Map be amended to apply the Main Street Neighborhood Residential Mixed Use Overlay (MS-NR-MXO) on the 1.143 acre tract at 225 Church Street, PIN 8615-27-0218, and the LDS Section 2.5.3 Table of Permitted Uses with be updated to allow restaurant and general commercial on this lot accordingly.

ADOPTED this _____ Day of _____, 2024.

TOWN OF WAYNESVILLE

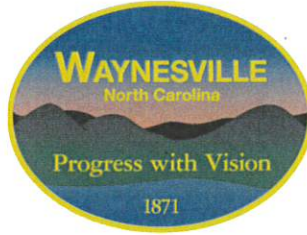
J. Gary Caldwell, Mayor

ATTEST:

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney



To: Waynesville Town Council
Meeting Date: August 13, 2024
From: Elizabeth Teague, Development Services Director
Ginger Hain, Planning Board Vice-Chair
Description: Main Street Residential District Overlay Application
Ordinance Section: 15.14 of the Land Development Standards (LDS)

At a Special Called Meeting held on July 22, 2024, the Planning Board held a public hearing and recommends the following to Town Council by a motion that was made by board member Ginger Hain and seconded by member Micheal Blackburn, that:

1. The overlay request is **consistent with the Town’s Comprehensive Land Use Plan and is reasonable and in the public interest** because:

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

- Encourage infill, mixed-use, and context-sensitive development

Goal 4: Protect and promote Waynesville’s cultural resources.

- Invest in preservation, restoration and promotion of Waynesville’s history.
- Encourage collaboration among local cultural and heritage organizations and artists to enrich our community with events and education.


Goal 5: Create opportunities for a sustainable economy.

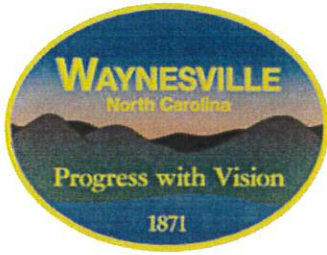
- Encourage creatively designed, mixed-use, walkable centers and commercial districts that appeal to residents and visitors.
- Promote the growth of existing local businesses and Waynesville “maker economy.”

2. That the Planning Board **recommends that Council approve the zoning map amendment** to apply the overlay to 225 Church Street.

The motion passed unanimously.


Ginger Hain, Planning Board Vice-Chair, Date


Esther Coulter, Administrative Assistant, Date



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

Application for Land Development Standards Map Amendment

Application is hereby made on June 28, 2024 to the Town of Waynesville for the following map amendment:

Property owner of record: CHURCH STREET STUDIOS LLC
 Address/location of property: 225 CHURCH STREET
 Parcel identification number(s): 8615-27-0218
 Deed/Plat Book/Page, (attach legal description): _____
 The property contains 1.143 acres.
 Current district: MAIN ST NEIGHBORHOOD RESIDENTIAL
 Requested district: MAIN ST MIXED USE OVERLAY

The property is best suited for the requested change for the following reason(s), (attach additional sheets if necessary):

SEE ATTACHED

Applicant Contact Information

Applicant Name (Printed): HARMONY HAUS LLC
 Mailing Address: PO BOX 1164, WAYNESVILLE, NC 28786
 Phone(s): 828-365-8850
 Email: heyharmonyhaus@gmail.com

Signature of Property Owner(s) of Record Authorizing Application:

Shereen Malek

Note: Map Amendment Requests require a fee based on the size and number of lots being requested for amendment. The request will be scheduled for the next agenda opening for the Waynesville Planning Board. Please submit application to: Town of Waynesville Development Services Department, 9 South Main Street, Waynesville, NC 28786.

Map Amendment Request for Church Street Studios: A Vibrant Community Hub

Project Summary:

Church Street Studios is designed to be a vibrant community hub that brings together local artists, professionals, small businesses, and individuals with diverse needs under one roof. Our vision is to create a dynamic space where creativity, inclusion, and community engagement thrive. By transforming this 1.1-acre campus, formerly St. John's daycare, we aim to offer a variety of uses, including artist studios, professional offices, a coffee shop, retail spaces, and services for disabled adults.

Our Request: While the core concept is permitted outright, we seek a **Mixed-Use Overlay District** to introduce two key elements:

- **Restaurant with Light Cooking:** This allows for a coffee shop or tearoom offering light fare like sandwiches and scones. We emphasize a focus on simple, low-intensity food preparation, avoiding the need for a full kitchen with extensive ventilation systems or structural modifications.
- **General Commercial:** This permits retail establishments, fostering a collaborative environment for local businesses to thrive.

Our Mission Aligns with the History

Our proposed uses for Church Street Studios extend the building's historical purpose as a cornerstone for education, growth, and community support. Originally built as a school and later serving as a daycare, this space has always fostered development and inclusion. By transforming this 1.1-acre campus into a vibrant community hub with artist studios, professional offices, a coffee shop, retail spaces, and services for disabled adults, we honor its legacy. The Mixed-Use Overlay District acts as a key, unlocking the building's full potential and allowing us to integrate these uses while preserving its core functionalities.

Unique Project Characteristics:

- **Corner Location:** Situated directly across from St. John's Church and midway between Main Street and Frog Level Business Districts, the large corner lot (1.1 acres) offers a unique opportunity for revitalization.
- **Reuse Project:** We prioritize the repurposing of the existing building and its spacious outdoor area, minimizing construction impact.

- **Minimal Change in Impact:** We believe the proposed changes will not significantly alter the existing neighborhood character. The project aligns with the historical use of the building and complements the presence of St. John's Church across the street.

Community Benefits:

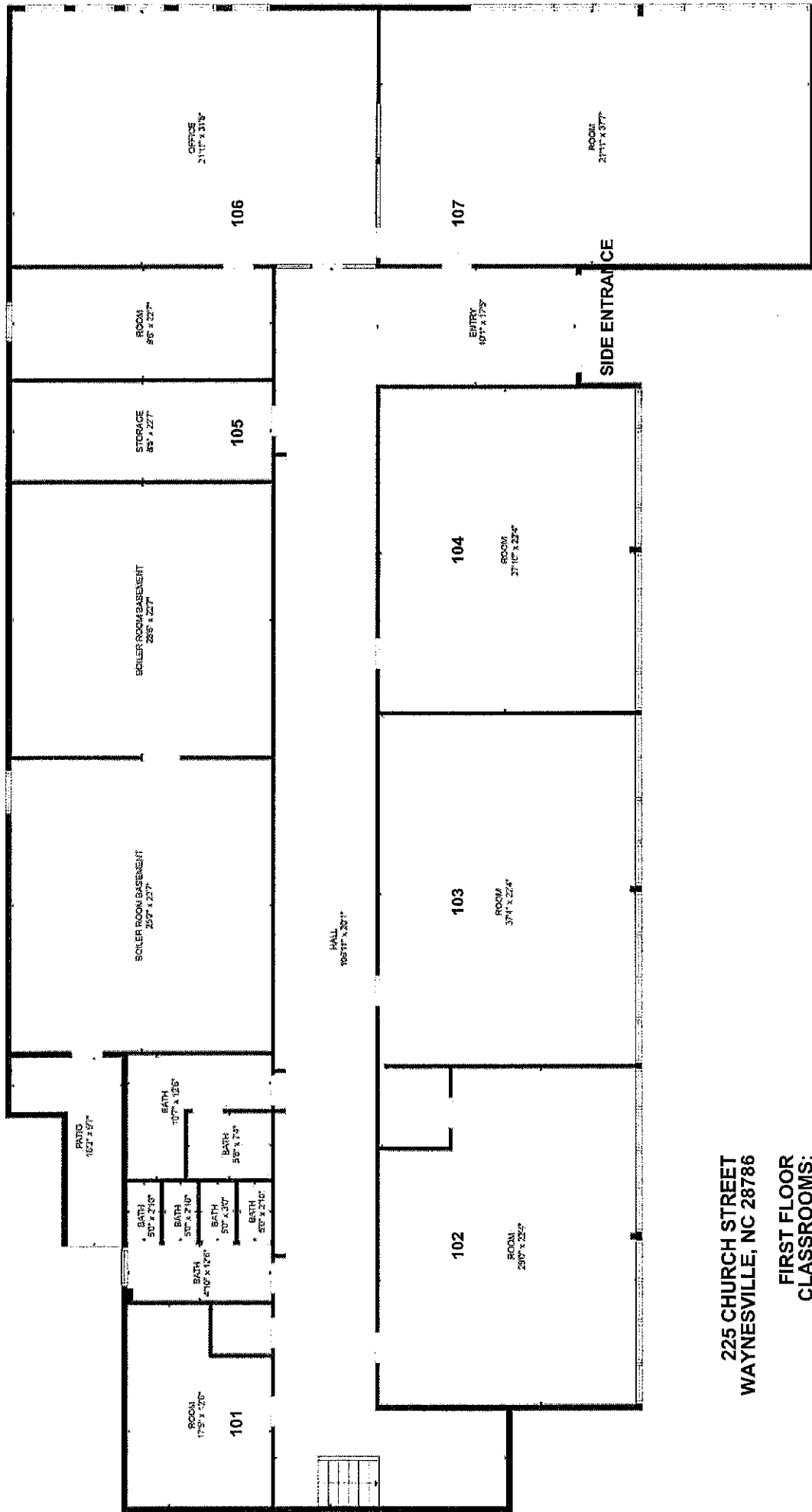
- **Preservation and Revitalization:** We aim to preserve the historical significance of the building while revitalizing it for contemporary needs.
- **Economic Growth and Cultural Connections:** Church Street Studios will foster collaboration, economic growth, and cultural enrichment for Waynesville and Haywood County.
- **Supporting Local Businesses:** The project addresses the need for inspiring spaces for small businesses, while the coffee shop and retail space will serve the community.
- **Strengthened Neighborhood:** We are confident this project will offer valuable services to the surrounding residents without disrupting the neighborhood's peaceful nature.

Community Support:

We have garnered support from The Haywood County Arts Council, Waynesville Public Art Commission, The ARC of Haywood County, The HCC Small Business Center, Champion Credit Union, and Mountain BizWorks. This collaboration highlights our commitment to community connections and growth.

Conclusion:

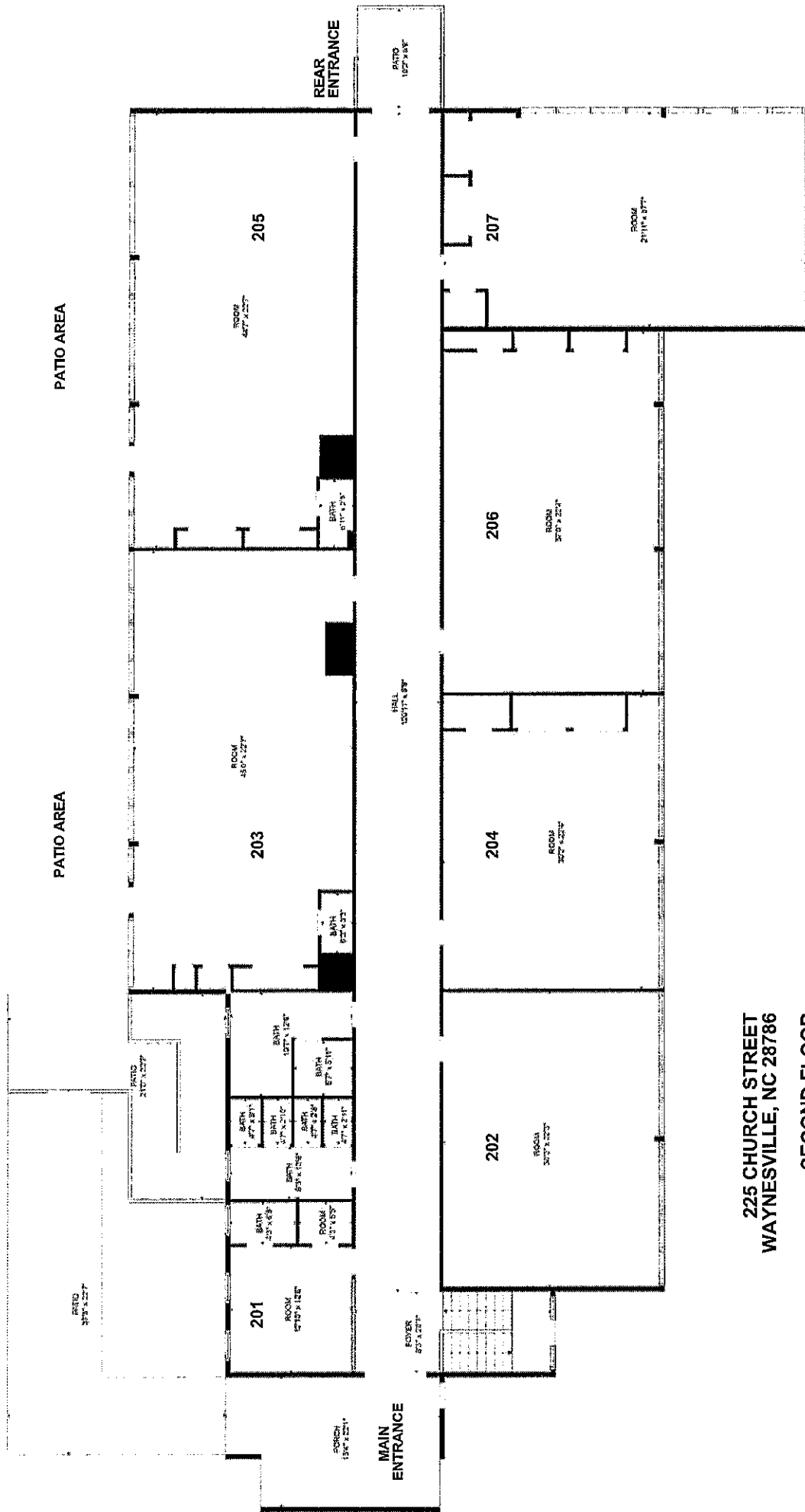
Church Street Studios presents a unique opportunity to revitalize a historic building, foster a vibrant community hub, and support local businesses. The requested Mixed-Use Overlay District enables the addition of a coffee shop and retail space, seamlessly integrating with the existing permitted uses. We believe this project will enhance Waynesville's cultural landscape while ensuring a positive impact on the surrounding neighborhood.

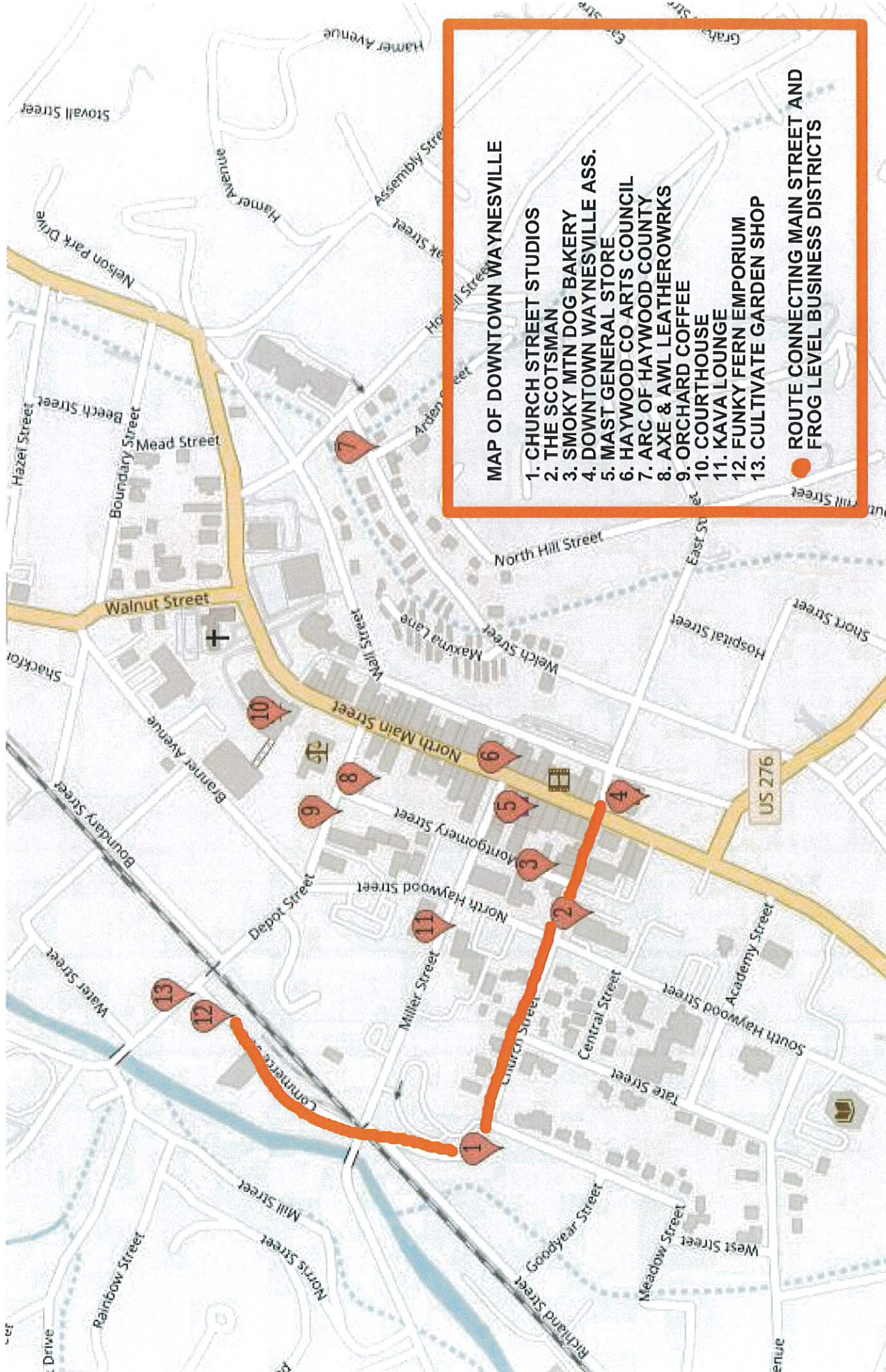


225 CHURCH STREET
WAYNESVILLE, NC 28786

FIRST FLOOR
CLASSROOMS:

- 101
- 102
- 103
- 104
- 105
- 106
- 107





MAP OF DOWNTOWN WAYNESVILLE

1. CHURCH STREET STUDIOS
2. THE SCOTSMAN
3. SMOKY MTN DOG BAKERY
4. DOWNTOWN WAYNESVILLE ASS.
5. MAST GENERAL STORE
6. HAYWOOD CO ARTS COUNCIL
7. ARC OF HAYWOOD COUNTY
8. AXE & AWL LEATHEROWRKS
9. ORCHARD COFFEE
10. COURTHOUSE
11. KAVA LOUNGE
12. FUNKY FERN EMPORIUM
13. CULTIVATE GARDEN SHOP

● ROUTE CONNECTING MAIN STREET AND FROG LEVEL BUSINESS DISTRICTS

Report For

CHURCH STREET STUDIOS LLC A NC LLC
PO BOX 1164
WAYNESVILLE, NC 28786-1164

Account Information

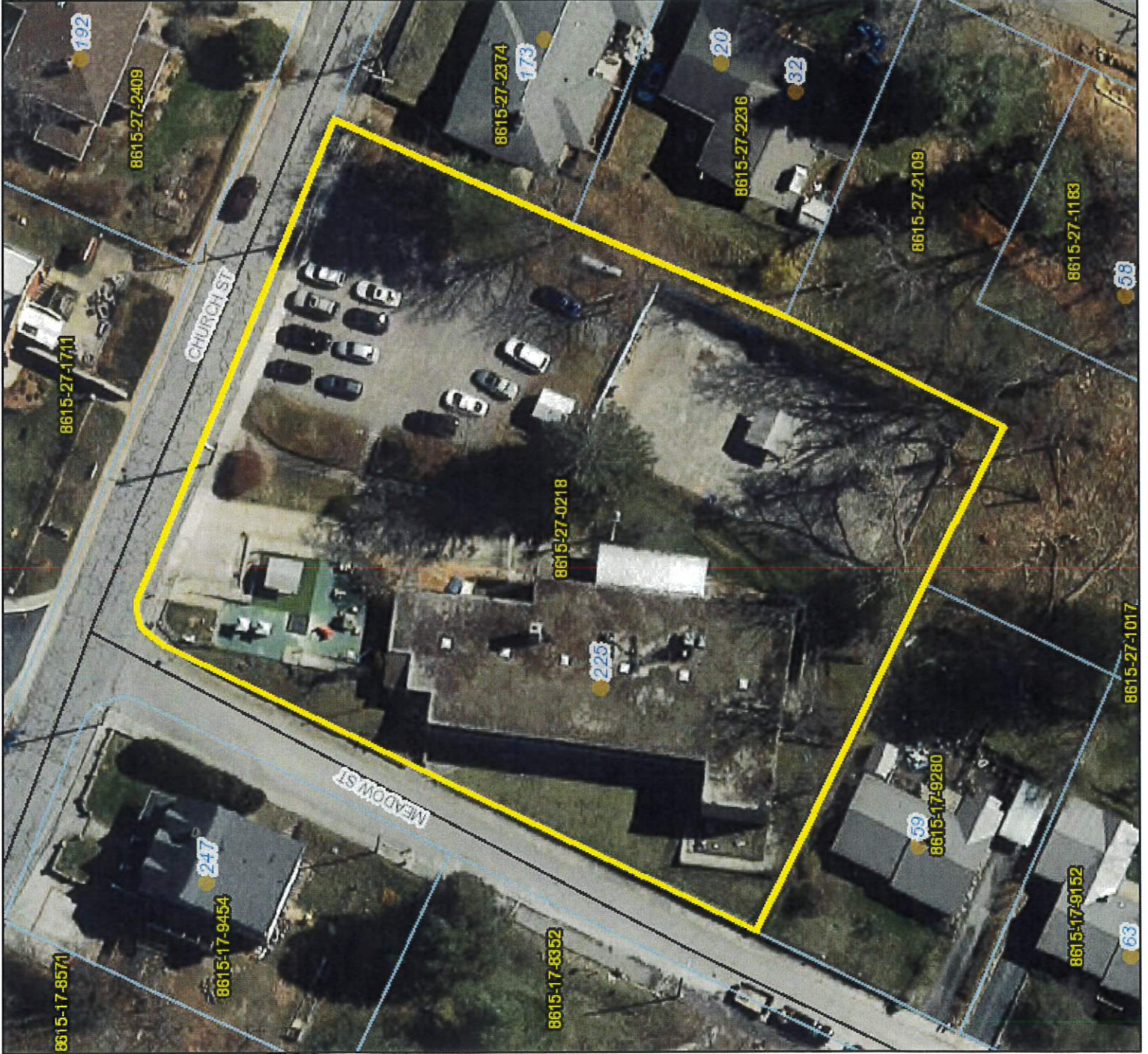
PIN: 8615-27-0218
Deed: 1109/2152
418/758

Site Information

DAYCARE CENTER
Commercial Use
225 CHURCH ST
Heated Area: 7024
Year Built: 1930
Total Acreage: Acres
Township: Town of Waynesville

Site Value Information

Land Value: \$64,100
Building Value: \$527,600
Market Value: \$591,700
Deferred Value: \$0
Assessed Value: \$591,700
Sale Price: \$700,000
Sale Date: 06/23/2024
Tax Bill 1:
Tax Bill 2:



1 inch = 50 feet
July 1, 2024

Disclaimer: The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public information sources should be consulted for verification of any information contained on these maps. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.

Report For

CHURCH STREET STUDIOS LLC A NC LLC
PO BOX 1164
WAYNESVILLE, NC 28786-1164

Account Information

PIN: 8615-27-0218
Deed: 1109/2152
418/758

Site Information

DAYCARE CENTER
Commercial Use
225 CHURCH ST
Heated Area: 7024
Year Built: 1930
Total Acreage: Acres
Township: Town of Waynesville

Site Value Information

Land Value: \$64,100
Building Value: \$527,600
Market Value: \$591,700
Deferred Value: \$0
Assessed Value: \$591,700
Sale Price: \$700,000
Sale Date: 6/24/2024
Tax Bill 1:
Tax Bill 2:



1 inch = 200 feet
July 1, 2024

Disclaimer: The maps on this site are not surveys. They are prepared from the inventory of real property found within this jurisdiction and are compiled from recorded deeds, plats and other public records and data. Users of this site are hereby notified that the aforementioned public primary information sources should be consulted for verification of any information contained on these maps. Haywood county and the website provider assume no legal responsibility for the information contained on these maps.





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

July 23, 2024

Notice of Public Hearing Town of Waynesville Town Council

The Town of Waynesville Town Council will hold a public hearing on **Tuesday, August 13, 2024, at 6:00 pm** in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider an application for a zoning map amendment at 225 Church Street, Waynesville, NC 28786 (PIN 8615-27-0218). The application requests a zoning overlay to Main Street Neighborhood Residential Mixed-use Overlay in order to re-use the former day care center building as a community and cultural arts center with art studios, professional offices, retail space, and coffee shop. For more information contact the Development Services Department at: (828) 456-8647; email: eteague@waynesvillenc.gov; mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.





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: July 28th and August 4th (Sunday) editions

Date: July 23, 2024

Contact: Elizabeth Teague, eteague@waynesvillenc.gov, (828) 456-2004

Notice of Public Hearing Town of Waynesville Town Council

The Town of Waynesville Town Council will hold a public hearing as part of a Meeting on **Tuesday, August 13, 2024 at 6:00 pm** in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider an application for a zoning map amendment at 225 Church Street, Waynesville, NC 28786, PIN 8616-29-7639, from Neighborhood Residential, to Neighborhood Residential Mixed-use Overlay. For more information contact the Development Services Department at: (828) 456-8647; email: eteague@waynesvillenc.gov; mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: January 9, 2018**

SUBJECT: Request of Town Staff for Council direction on a grant application to the Great Trails State Program Grant to extend the Town's Greenway System towards Lake Junaluska.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Development Services
Contact: Elizabeth Teague, Planning Director
Presenter: Elizabeth Teague, Planning Director

BRIEF SUMMARY: The Great Trails State Program provides funding for new trail development and extension of existing trails in North Carolina. This includes paved trails or greenways, natural surface trails, biking trails, equestrian trails, and any other type of trail recognized by the Department of Natural and Cultural Resources. It is part of the Great Trails State initiative: <https://greattrailsonc.com/the-great-trails-state/>, and the <https://greattrailsstatecoalition.org/>. This is a one-time grant funding opportunity to assist local communities to construct planned trails. Haywood County is eligible to apply for \$2, for every \$1 of local match.

A working group of The Haywood County Greenways Council, the Tourism Development Authority, and Haywood County, determined that build out of the trail connection to Lake Junaluska would be the most competitive application and would meet a critical need for completion of a segment of the County's adopted Greenway Master Plan. This trail would connect the new greenway, to Asheville Highway, and the trail head at the end of Industrial Park Drive. The TDA has committed \$50,000 in cash match for the application, and the greenway trail constructed as part of the Groves at Water's Edge can be used as in-kind match with a value of \$46,000. Haywood County and TDA would like for the town of Waynesville to be the lead applicant for the grant, and the grant deadline is September 3, 2024. Staff can develop a grant budget and application, but needs Council approval to proceed. We would also ask the Town to match the TDA commitment of \$50,000.

MOTION FOR CONSIDERATION:

1. To direct staff to complete an application to the Great Trails State coalition and to work with community partners to develop a plan and budget.








FUNDING SOURCE/IMPACT: A possible \$50,000 match if the grant application is funded.

ATTACHMENTS:

1. Segment of the 2020 Greenways Feasibility Study

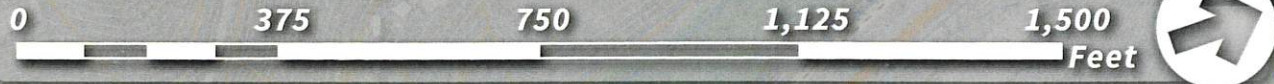
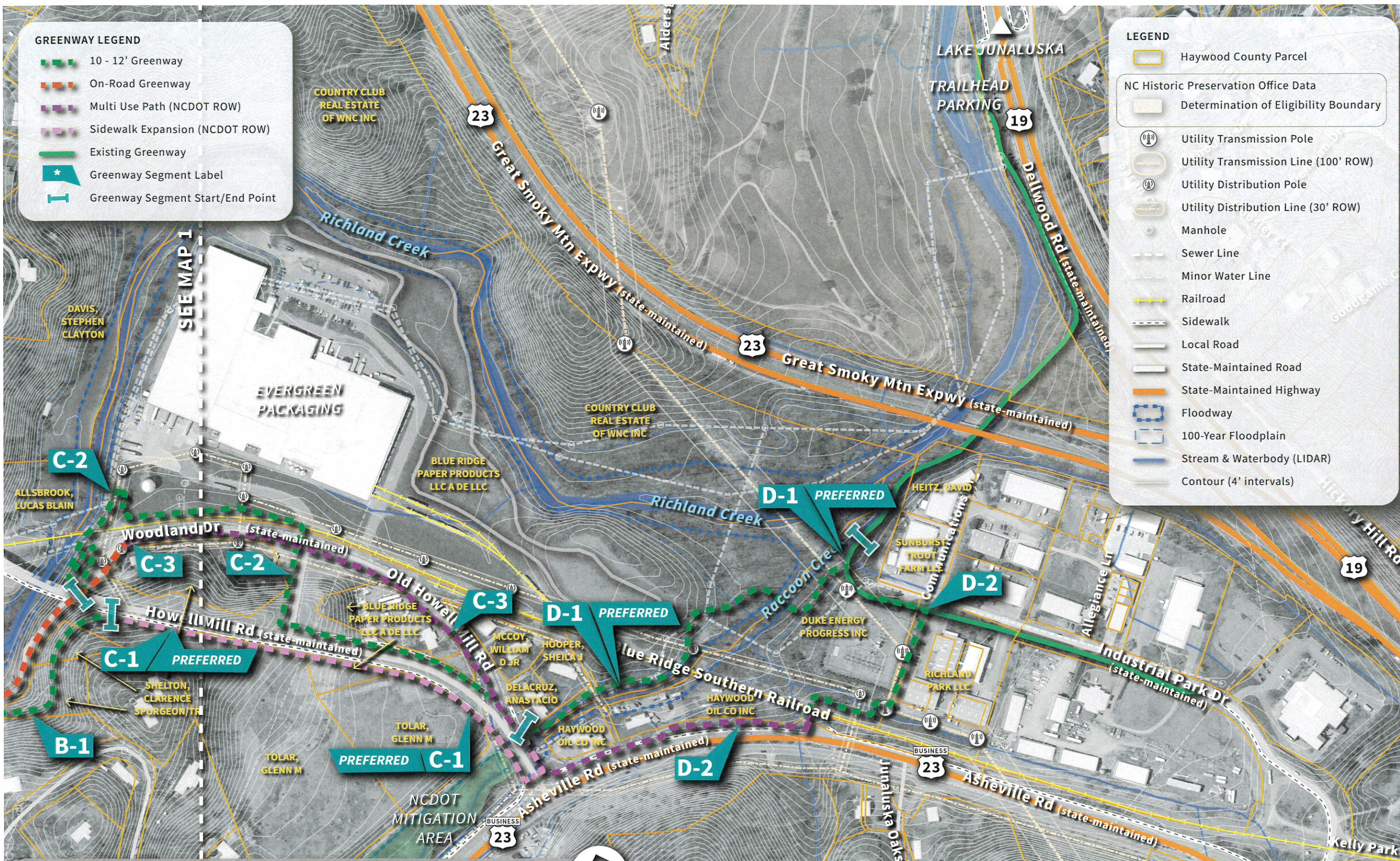
MANAGER'S COMMENTS AND RECOMMENDATIONS:

GREENWAY LEGEND

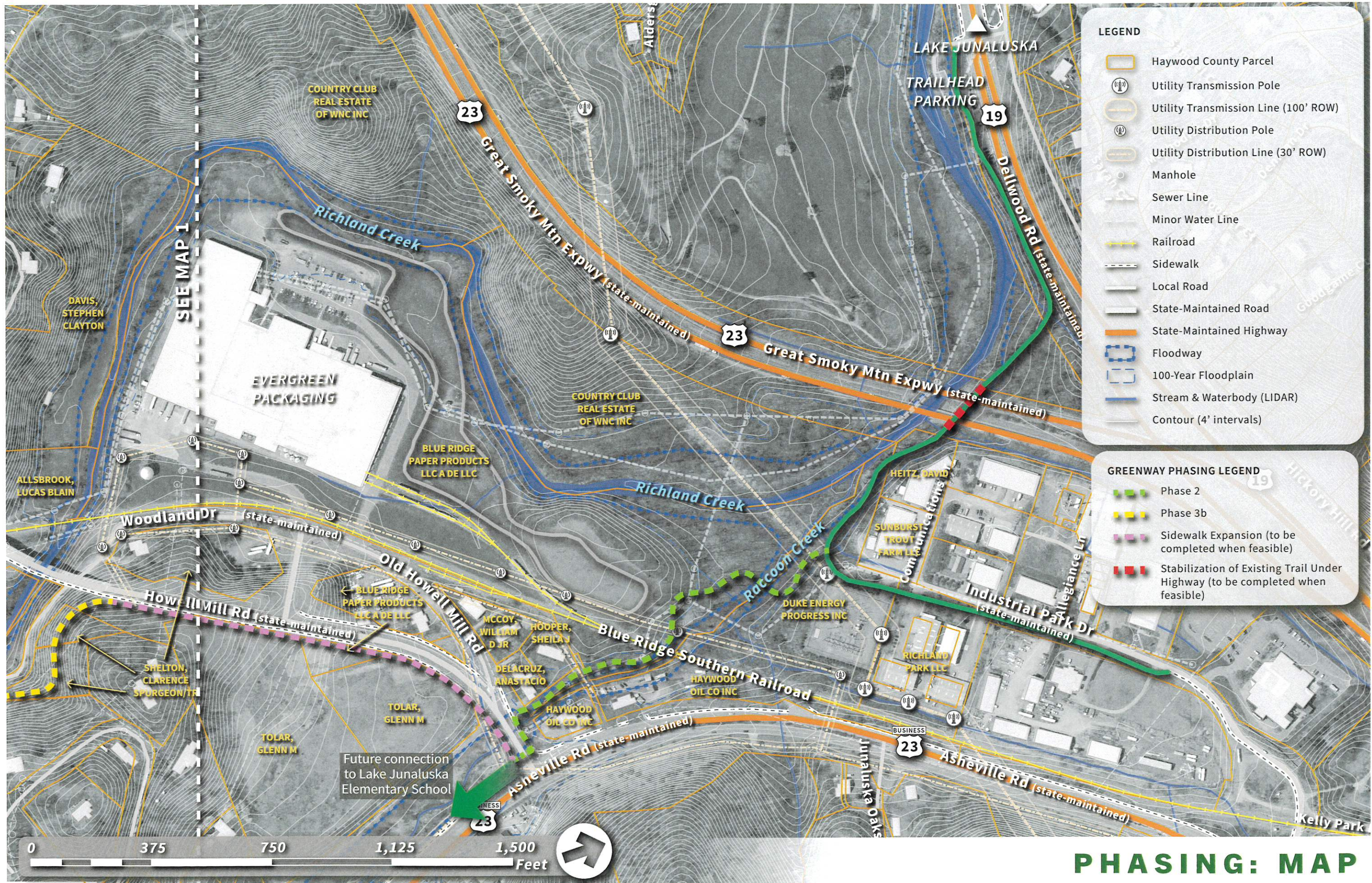
-  10 - 12' Greenway
-  On-Road Greenway
-  Multi Use Path (NCDOT ROW)
-  Sidewalk Expansion (NCDOT ROW)
-  Existing Greenway
-  Greenway Segment Label
-  Greenway Segment Start/End Point

LEGEND

-  Haywood County Parcel
- NC Historic Preservation Office Data**
-  Determination of Eligibility Boundary
-  Utility Transmission Pole
-  Utility Transmission Line (100' ROW)
-  Utility Distribution Pole
-  Utility Distribution Line (30' ROW)
-  Manhole
-  Sewer Line
-  Minor Water Line
-  Railroad
-  Sidewalk
-  Local Road
-  State-Maintained Road
-  State-Maintained Highway
-  Floodway
-  100-Year Floodplain
-  Stream & Waterbody (LIDAR)
-  Contour (4' intervals)



ALTERNATIVE ALIGNMENTS: MAP 2



PHASING: MAP 2

**TOWN OF WAYNESVILLE COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: August 13, 2024**

SUBJECT: Request from Building Inspections to approve the Resolution Authorizing Demolition of 1727 South Main Street and for bid to contract to demolish the building.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Development Services
Contact: Elizabeth Teague, David Kelley
Presenter: Elizabeth Teague, David Kelley

BRIEF SUMMARY:

The Development Services Department, Building Inspections Division is requesting authorization to proceed with demolition of the structure at 1727 S. Main Street. Inspector David Kelley, has been working with Attorney Ron Sneed, to address the public safety concerns with the structure for many months while following State statutes regarding condemnation and demolition of property. Since the roof cave-in, the Town received a demolition permit from some of the Sutton heirs to voluntarily demolish the building. However, since that time work has since stopped and the staff would like to proceed with the demolition of the building.

MOTIONS FOR CONSIDERATION:

1. Motion to adopt the Resolution Authorizing Demolition.
2. Motion to approve the contract to demolish.

FUNDING SOURCE/IMPACT: Demolition will cost \$22,000 which is budgeted within the line item 104910-521950, for code enforcement.

ATTACHMENTS:

- Resolution
- Summary of Project
- Bid from WCD Demo and Construction

MANAGER'S COMMENTS AND RECOMMENDATIONS:

RESOLUTION R-18-24
AUTHORIZING THE DEMOLITION OF
1727 South Main Street, Waynesville, NC 28786 (PIN 8604-89-4893)
AND IMPOSITION OF LIEN TO RECOVER COSTS

WHEREAS, the Town of Waynesville, North Carolina (the “Town”), acting through its building inspectors, has identified several deficiencies and conditions on that property located at 1727 South Main Street, Waynesville, NC 28786 (the “Subject Property”) owned by the heirs of Janet Lynn Sutton, who are Cynthia Yvonne King, Gary Haney, Donnie Haney, Nathan Sutton and Daniel Sutton, making that property appear to the building inspectors to be especially dangerous to life as described in N.C.G.S. Section 160D-1119 (a) and creating an imminent risk of injury as contemplated by N.C.G.S. Section 160D-1122; and

WHEREAS, David Kelley, building inspector for the Town of Waynesville did post the property as provided in N.C.G.S. §160D-1119(a) and did schedule a hearing pursuant to N.C.G.S. §1121, giving notice to the property owners of their opportunity to be heard at such hearing on August 16, 2024; and

WHEREAS, the hearing is scheduled to be held at 9:00 a.m. on August 16, 2024, in the Town offices at 9 South Main Street, Waynesville, NC, which is after the date this resolution is being considered by this Council, but it is necessary that this matter be heard at this August 13, 2024, meeting of this Council as the condition of the property creates imminent risk of injury to people and property and Council will not meet again for a month; and

WHEREAS, from the information presented, it appears that is very likely that the building inspector will issue an Order and Finding of Facts finding the structures on the Subject Property to be dangerous and in need of repair or demolition, and ordering such repair or demolition within ten (10) days of the owner’s receipt of the order, as provided for and allowed in N.C.G.S. §160D-1122 when there is imminent risk of injury to people or property; and

WHEREAS, the Town has the authority under N.C.G.S. §160D-1125 to repair or demolish the structure or structures if the owner does not comply with the order of the building inspector or appeal that decision within ten (10), days; and

WHEREAS, this matter is appearing before Town Council at the request of the building inspector before the hearing is held by the building inspector and prior to the end of the anticipated ten day time period in which the property owner might repair or file an appeal as the Town Council meeting schedule will cause undue delay if consideration is delayed, and the building inspector is requesting that this Council act in anticipation that the property owner will continue to ignore the dangers and risks the property presents and who also is concerned about the ongoing risk and wants to be able to remedy that situation as quickly as possible after the appeal or repair period is passed, so that this resolution shall be self-terminating if the owner makes the repairs, demolishes the building, or appeals from the order of the building inspector within ten days of receipt of the Order from the building inspector.

NOW, THEREFORE, BE IT RESOLVED by the Town Council of the Town of

Waynesville, North Carolina:

1. That if the heirs of Janet Lynn Sutton, or someone acting at their direction or on their behalf, fail to demolish or repair the structures on that property located at 1737 South Main Street, Waynesville, NC, in compliance with the order of the building inspector, and fails to appeal from the order of the building inspector, within ten (10) days after receipt of the order of the building inspector requiring repair or demolition, the Town shall, pursuant to N.C.G.S. §160D-1125(b), does hereby authorize the demolition of the structures located on the subject property and shall contract and carry out the demolition of the structures, and the Director or Assistant Director of Development Services for the Town of Waynesville may execute a contract or contracts to have the structures repaired or demolished.

2. That if such demolition is performed by or for the Town, a lien equal to the amount of the Town's costs associated with the demolition authorized herein less any money received for usable material, fixtures or personal property located on the property, shall be imposed against the Subject Property pursuant to N.C.G.S. §160D-1125(b) and any other real property of the owner within the Town's planning and development jurisdiction pursuant to N.C.G.S. §1125(c).

3. That if the owners repair or demolish the structures on the Subject Property within the time period prescribed in the order issued by building inspector following receipt of that order, this Resolution will be deemed satisfied and have no further effect.

4. That if the owner appeals the decision of the building inspector within ten (10) days following receipt of the order of the building inspector, the effect of this Resolution shall be stayed pending the outcome of that appeal or any ensuing appeal to Superior Court.

Adopted this _____ of August, 2024.

TOWN OF WAYNESVILLE

ATTEST:

J. Gary Caldwell, Mayor

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Sharpe Bradley, Town Attorney



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

Summary of Project

Sutton Property
1727 S Main Street
Waynesville, NC 28786
PIN 8604-89-4893

We opened an unsafe structure case on the above referenced property on 12/20/23 due to a partial roof collapse. We made contact with the four of the heirs and requested to meet on site to discuss the condition of the property. We met with Donnie Haney, Gary Haney, Nathan Sutton, and Yvonne King on site to see what they were going to do in regard to the partially collapsed building. At the time they decided to try and repair the roof. I requested that they give us a plan of action for the repairs. The property was posted on 12/21/23 as unsafe and some caution tape was installed around the building by the heirs.

On 1/8/24 we received notice from attorney Kirk Kirkpatrick that Gary Haney has filed a petition with the court to have all the Sutton properties sold and divide the proceeds. We decided to give the family time to get their affairs in order but to continue cleaning up the property and keep the partially collapsed building secure.

On 2/14/24 I met with two of the heirs Donnie Haney and Gary Haney on site to discuss their options. At the time they decided to demo the building. I gave them 30 days to have an asbestos survey with any remediation complete and apply for a demo permit.

On 3/13/24 I followed up with Gary Haney to see if an asbestos survey had been completed. They had begun cleaning some of the contents out of the building and to prepare for demolition. He informed me that the asbestos survey was complete and he was waiting on the report. I asked him to email me a copy when he received it.

On 3/30/24 we received a copy of the asbestos report and Donnie Haney said they would be applying for a demolition permit soon.

On 4/8/24 a demolition permit was applied for and obtained by Donnie and Gary Haney.

On 6/6/24 Town staff met with Sam Hyde (Commissioner that has been appointed by the court to effectuate the sale of the Sutton properties) and Patrick McDowell (listing agent for this property). They informed us that this property is to be sold as is. Town staff has worked with Gary Haney and Donnie Haney for several months but since work has stopped we needed to start the unsafe structure process. The sale of commercial property could take several months and we could not wait for a potential buyer to fix the condition of the building due to its unsafe condition.

On 6/10/24 I requested a title search from our attorney to begin sending a notice to correct to all parties of interest (heirs). Later that day I received the title search back and we prepared the notices to correct.

On 6/11/24 I spoke with Sam Hyde in reference to allowing access to the building to get the VIN numbers off of the vehicles located in the building, he granted access. We mailed out notices to correct to all listed on the title search total of five heirs by certified, first class mail and posted a copy of the notice on the front of the building. We also mailed a copy of the notice by first class mail to the attorneys involved Kirk Kirkpatrick, Mark Melrose, and Sam Hyde.

On 6/14/24 Daniel Sutton's mail came back with a forwarding address. We mail his notice to the forwarding address by certified and first class mail.

On 7/3/24 Cynthia Yvonne King's certified mail was lost by USPS, remailed by FedEx. Donnie Haney's certified mail was unclaimed, remailed by FedEx. Daniel Sutton's certified mail was attempted to deliver but was not delivered, remailed FedEx.

On 7/12/24 I met with Gary Haney on site to get the VIN numbers off of the vehicles located inside the building. We noted 3 vehicles inside, one 1982 Volkswagen car VIN 1VWFG0175CV016796 owned by Donald Lee Sutton (Deceased), one 1988 Ford truck VIN 1FTEF26Y9JNB00048 owned by Donald Lee Sutton (Deceased) and one 1986 Ford truck VIN 1FTEF14H2GNB39148 owned by Perry Stewart Gaddy. I made contact with Perry Gaddy to inform him that his vehicle was located in the partially collapsed building and that it had sustained substantial damage. He said that he knew his truck was there and I told him to contact the heirs about retrieving his vehicle.

On 7/25/24 I had not received confirmation that Donnie Haney had received his notice to correct so I reached out to Gary Haney for more information. He gave me his cell number and email address. I tried both with no response.

On 8/1/24 Donnie Haney's FedEx mail was returned with 3 delivery attempts. None of the first class mail that was sent to everyone listed on the title search was returned.

On 8/5/24 we met with Ron Sneed to review the Sutton file to make sure we have followed the Town ordinance for notification to all the listed heirs. After conformation that we have followed the ordinance for notification we are moving forward with the notice of hearing. Ron is going to draft the letter and send it to us tomorrow. We will mail the notice of hearing out once Ron is finished with his draft. Emailed three contractors for informal bids to demolish the structure and remove the debris from the site.

On 8/6/24 we received the Notice of Hearing from Ron Sneed to send out to the listed heirs. Notice of Hearing was sent to all the listed heirs by first class mail, certified mail, was posted on the property at 1727 S Main Street and requested that the notice be advertised in the Mountaineer paper (8/11/24). Additionally, the notice was emailed to the local media. We also sent a copy of the posting of the Notice of Hearing to Sam Hyde, Kirk Kirkpatrick, and Mark Melrose.

Demolition bid for 1727 S Main St.
Suttons Garage

WCD Demo & Construction will tear down the structure to slab on grade and haul away the building debris and contents. Some special consideration will need to be given for the three automobiles currently inside the building. Due to the current deteriorating condition of the structure and the fact that all three automobiles are on lifts that probably aren't functioning properly, there likely will be damage to them in the process; possibly extensive and irreparable. The other automobiles around the structure are to be moved by their owners or by the Town of Waynesville. WCD Demo & Construction will not be held liable for ANY damages to ANY autos not moved out of the work area.

WCD Demo & Construction will not remove hazardous material (fuel tanks, oil tanks) or anything else that may be deemed hazardous or have hazardous potential.

There are approximately 200 tires around the outside of the building. An additional charge of five hundred dollars (\$500.00) will be assessed to the bid if they are expected to be removed and disposed of by WCD Demo & Construction.

It is expected to take seven (7) days to complete the job excluding weather or other unexpected delays.

Cost will be \$22,000.00 if the tires on the outside of the structure are NOT to be removed and \$22,500.00 if they are.

Thank you for the opportunity to submit a bid.

Nathan Carver, Owner
WCD Demo & Construction LLC





7-12-24



7-12-24



7-12-24



7-12-24



7-12-24



7-12-24

SUTTON AUTOMOTIVE AUTOMATIC
TRANSMISSION

S
E
R.

Копи









Specialty SUTTON AUTOMOTIVE AUTOMATIC TRANSMISSION

Food Mart

Shell

PAID
PAPER

STATE OF NORTH CAROLINA
COUNTY OF HAYWOOD

Town of Waynesville,

versus

Heirs of Janet Lynn Sutton

NOTICE OF HEARING BEFORE BUILDING INSPECTOR
CONDEMNATION OF 1727 S. MAIN STREET, WAYNESVILLE, NC
PIN # 8604-89-4893
August 6, 2024

To: Heirs of Janet Lynn Sutton
Cynthia Yvonne King
Gary Haney
Donnie Haney
Nathan Sutton
Daniel Sutton
Commissioner appointed sell property:
Sam Hyde

PLEASE TAKE NOTICE that on August 16, 2024, at 9:00 a.m., in the Town offices at 9 South Main Street, Waynesville, NC, the undersigned will hold a hearing pursuant to N.C.G.S. Section 160D-1121(2), at which time you may present evidence to support any reasons you might have for not repairing or demolishing the structure at 1727 South Main Street, Waynesville, NC, after having been provided notice that the structure is abandoned, dilapidated and a fire or safety hazard and having been notified by certified and first class mail, emails, and overnight courier, and by posting of the property, of the property condition and the need to make repairs or demolish the structure, pursuant to N.C.G.S. Section 160D-1121(1).

If you fail to provide sufficient evidence that the structure is in fact not abandoned and in such a dilapidated condition as to cause or contribute to blight, disease, vagrancy, or fire or safety hazard, to be a danger to children, or to tend to attract persons intent on criminal activities, or other activities that would constitute a public nuisance as provided in N.C.G.S. Section 160D-1119 (b), the undersigned may enter an order requiring you to repair, close, vacate, or demolish the structure as appears appropriate.

This the 6th day of August, 2024.

David Kelley
Building Inspector and
Chief Code Enforcement Official
Town of Waynesville
9 South Main Street
Waynesville, NC 28786
(828) 456-8647

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: 8/13/2024**

SUBJECT: Recommend award of contract to Carolina Specialty Fitness in the amount of \$49,518.88 (\$46,459.23 before tax) for cardio equipment replacement at the recreation center.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Parks & Recreation
Contact: Luke Kinsland
Presenter: **Luke Kinsland**

BRIEF SUMMARY:

Town Council granted \$50,000 in FY24-25 budget to be allocated in capital outlay for the replacement of a portion of the cardio equipment at the recreation center. For the bidding and request for proposals, the Town utilized our co-op purchasing membership with Sourcewell. An attempt for 3 or more bids was conducted through Sourcewell. Carolina Specialty Fitness, Wellness Solutions, and Technogym submitted proposals although recently an attempt to obtain a more recent bid through Technogym was attempted to no avail. Carolina Specialty Fitness came in at the low bid with the desirable equipment needed. Elliptical machines, recumbent bikes, and upright bikes will be replaced.

MOTION FOR CONSIDERATION: To award the contract for cardio equipment replacement to Carolina Specialty Fitness in the amount of \$49,518.88 (\$46,459.23 before tax)

FUNDING SOURCE/IMPACT: General Fund - Capital

ATTACHMENTS: Quotes & bid tab

MANAGER'S COMMENTS AND RECOMMENDATIONS: see above.



285 Columbiana Drive Suite B
Columbia, SC 29212

Quote

Date	Quote #
7/11/2024	102744

Name / Address
WAYNESVILLE PARKS AND REC 128 W Marshall St Waynesville, NC 28786

Ship To

Terms	Due Date	Rep	Project
50%, COD	5/14/2024	JM	

Item	Description	Qty	MSRP	Your Price	Total
TF-XC900-19	True Fitness XC900 elliptical base	2	7100	3799	7,598.00T
TF-EMERGE	TRUE FITNESS EMERGE LED CONSOLE	2	699	430	860.00T
O-8019438/80...	Octane XT One with Standard Console	1	9599	4899	4,899.00T
O-8019430/80...	Octane Lateral X with Standard Console	1	9599	4899	4,899.00T
O-112250-001/...	Octane Fitness xR6000 Base-Swivel W/Standard Console & Apple Gym	4	7999	3850	15,400.00T
LF-SS-GL	Life Fitness Insignia Series Glute, Full Shroud, S trim, C Stack	1	6876	6195	6,195.00T
SHIPPING	Shipping Charge	1			3,858.23T
INSTALL	Installation charge Includes: Machine set up and removal of all packing materials.	1			2,750.00
True/Octane Sourcewell Contract Information:					
TRUE Fitness Fitness equipment #081120-TRU Maturity Date: 10/1/2024					
Subtotal					\$46,459.23
Sales Tax (7:0%)					\$3,059.65
Total					\$49,518.88

Signature

July 17, 2024

OUR FOCUS IS THROUGH THREE LENSES



North America

www.wsfitness.com



Sales and Service

800-741-4412

WELLNESS SOLUTIONS, INC. NORTH AMERICA



WELLNESS SOLUTIONS INC.

Quote Date: 07/12/24
Quote #: 00004390

Contact Name: Tim Plowman **Email:** tplowman@waynesvillenc.gov
Phone: (828) 456-2030 **Fax:** (828) 456-2034
Bill To Name: Waynesville Parks & Recreation **Ship To Name:**
Bill To: 550 Vance Street **Ship To:** Waynesville Parks and Recreation
 Waynesville 550 Vance Street
 North Carolina Waynesville
 United States North Carolina
 28786 United States
 28786
Terms: **Sales Rep:** Tim Hipp
Expiration Date: 04/30/24

Description	Images	Qty	Unit Price	Unit Discount	Unit Price Selling	Total Price Selling
Sourcewell Contact - Solicitation Number RFP #081120		1	\$0.00	\$0.00	\$0.00	\$0.00
True Apex Elliptical with Unite LED		2	\$11,099.00	\$6,566.95	\$4,532.05	\$9,064.10
True XT-One with Unite LED		1	\$11,799.00	\$6,433.62	\$5,365.38	\$5,365.38
True Lateral X with Unite LED		1	\$11,699.00	\$6,333.62	\$5,365.38	\$5,365.38

Wellness Solutions Inc.
6614 James Madison Hwy
Haymarket, VA 20169

Phone: 800-741-4412 - Fax: 571-486-4503 - Email: sales@wsifitness.com - Website: www.wsifitness.com



WELLNESS SOLUTIONS INC.

Quote Date: 07/12/24
Quote #: 00004390

True Apex Recumbent Elliptical with Unite LED



4 \$9,499.00 \$5,415.67 \$4,083.33 \$16,333.32

True Palladium Glute Press / Acrylic Shrouds
Standard Stack 260lb/118kg



1 \$5,699.00 \$1,737.46 \$3,961.54 \$3,961.54

Total Unit Price: \$89,391.00
Total Discount: \$49,301.28
Total Selling Price: \$40,089.72
Tax: \$0.00
Shipping and Handling: \$7,115.23
Grand Total: \$47,204.95

Signature: _____ **Name:** _____ **Date:** _____

*If paying by credit card there will be an additional 3% charge to cover bank fees.

Wellness Solutions Inc.
6614 James Madison Hwy
Haymarket, VA 20169

Phone: 800-741-4412 - Fax: 571-486-4503 - Email: sales@wsifitness.com - Website: www.wsifitness.com

2024 - 2025 Capital Improvement Bid Tab - Cardio Equipment at Rec Center

<u>Vendor</u>	<u>Price</u>	<u>Notes</u>
Carolina Specialty Fitness	\$46,459.23 (before taxes)	Reccommended low bid. Ellipticals, recumbent, and upright bikes priced along with a glute machine.
Wellness Solutions	\$47,204.95 (before taxes)	Also could not provide a machine we need.
Techno gym	Attempted	Attempted to retrieve more recent quote and did not receive.

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: 8/13/24**

SUBJECT Wastewater Treatment Plant: Mounting Platform for Floating Aerator, Safety Switches for Belt Press

AGENDA INFORMATION:

Agenda Location: New Business

Item Number:

Department: Sewer Fund

Contact: Jeff Stines

Presenter: Jeff Stines

BRIEF SUMMARY : Shortly after the sewer plant was sent to bid the digester began to fail. The digester was not part of the renovation of the plant and not included as an item eligible for funding through the State Revolving Loan. The digester was originally designed to be an "anaerobic digester"(waste was degraded in an environment without oxygen). Since the new plant design did not require that the digester be rebuilt as an anaerobic digester McGill recommended that it be converted it to a less expensive "aerobic digester". The original piping of the digester was removed, and the tank renovated. It is currently in operation using the original pumping system to keep the waste aerated. The Town purchased renovated "floating aerators" as a permanent means of optimizing the operation of the digester. As we move to the end of the project, a permanent mounting platform needs to be fabricated to hold the aerator in place. McGill has designed a structural steel platform and we have received a quote of \$118,250 to fabricate and install it on the digester.

The belt press takes the digested sludge and presses much of the liquid out of it so it can be transported to the landfill where it is used as cover material. The belt press has been renovated as part of the plant improvements, however we discovered that several "safety switches" need to be replaced as protection for the operators. The cost of the switches and their installation amounts to \$22,250.

The total cost of both projects amounts to \$140,500. The funds would be appropriated from the Sewer Fund Balance through the budget amendment that follows this item.

In order to cover unexpected contingencies, we are also adding \$10,000 to the project budget.

MOTION FOR CONSIDERATION: Approve the bids of A.C.M.I. to fabricate the platform for the aerators and purchase and installation of safety switches for the belt press.

Approve the budget amendment as presented.

FUNDING SOURCE/IMPACT: Sewer Fund

ATTACHMENTS: Quotes of A.C.M.I.

MANAGER'S COMMENTS: See Above.

Finance Director Approval:



Ian Barrett, Finance Director



A.C.M.I

353 Paradise Mtn. Rd
Canton, NC 28716

June 20, 2024

Mr. Keith Webb
McGill Associates
Asheville NC

Reference TOW Floating Aerator
ACMI Project Proposal Letter

Mr. Webb,

ACMI is pleased to provide you the following Proposal to install new platform for the Floating Aerator. The scope of work for this project is described below:

Scope of Work

ACMI plans to complete the mechanical scope of work as detailed during your project review with Nathan Ashe.

1. ACMI plans to fabricate and install a Platform across the Digester for the Floating Aerator. We plan to install a 3 Post Mooring frame onto this platform for the Floating Aerator to ride on. We also plan to install the Floating Aerator. We plan to install a soft start for this Aerator.

Clarifications / Exceptions

There are no provisions in this proposal for the removal of asbestos, lead paint, or other hazardous materials. Identification of these materials will be turned over to the Town of Waynesville for proper removal.

The following clarifications are included for your review, and were used for the basis of this proposal:

1. ACMI is to supply the I-Beams, grating, handrail, soft start, and Mooring System for this project.
2. Town of Waynesville is to provide the Floating Aerator and Motor for this project.

Proposal Pricing

Proposal\$118,250.00

Please do not hesitate to contact me if you have any questions concerning this proposal. We look forward to working with you on this project.

Nathan L Ashe
ACMI Superintendent
nathanashe@bellsouth.net
(828) 400-5424 Cell



A.C.M.I

353 Paradise Mtn. Rd
Canton, NC 28716

June 17, 2024

Mr. Keith Webb
McGill Associates
Asheville NC

Reference TOW WWTP Panel
ACMI Project Proposal Letter

Mr. Webb,

ACMI is pleased to provide you the following Proposal to install new Safety Switches in the Filter Press panel for the TOW. The scope of work for this project is described below:

Scope of Work

ACMI plans to complete the mechanical scope of work as detailed during your project review with Nathan Ashe.

1. ACMI plans to get the E-stop system working and also the switches for the belt adjusters/break on the Filter Press for the TOW.

Clarifications / Exceptions

There are no provisions in this proposal for the removal of asbestos, lead paint, or other hazardous materials. Identification of these materials will be turned over to the Town of Canton for proper removal.

The following clarifications are included for your review, and were used for the basis of this proposal:

1. ACMI is to supply the materials for this project.

Proposal Pricing

Proposal.....\$22,250.00

Please do not hesitate to contact me if you have any questions concerning this proposal. We look forward to working with you on this project.

Nathan L Ashe
ACMI Superintendent
nathanashe@bellsouth.net
(828) 400-5424 Cell

Ordinance No. O-43-24

Amendment No. 8 to the 2024-2025 Budget Ordinance

WHEREAS, the Town Council of the Town of Waynesville wishes to amend the 2024-2025 Budget Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Waynesville that the 2024-2025 Budget Ordinance be amended as follows:

General Fund:

Decrease the following revenues:

Fund Balance	\$150,000.00
--------------	--------------

Increase the following appropriations:

Sewer Equipment Repairs/ Maintenance	\$150,000.00
--------------------------------------	--------------

Adopted this 13th day of August 2024.

Town of Waynesville

Gary Caldwell
Mayor

Attest:

Candace Poolton
Town Clerk

Approved As To Form:

Martha Sharpe Bradley
Town Attorney

TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: August 13, 2024

SUBJECT: TextMyGov Service Contract

AGENDA INFORMATION

Agenda Location: New Business
Item Number:
Department: Administration
Contact: Candace Poolton, Town Clerk
Presenter: Jesse Fowler, Assistant Town Manager

BRIEF SUMMARY

TextMyGov is a program that allows residents and customers to receive immediate answers to most of their general questions, as well as allowing another means for residents and customers to report issues to the Town of Waynesville. The program provides a mobile-friendly widget to the Town's website where residents and customers can ask questions regarding the general day-to-day operations of the Town, special events, and utility outages. TextMyGov integrates seamlessly with the Town's website, requires no additional applications to be downloaded by the end-user, and can provide answer via text message or the widget located on the website. For questions which cannot be answered immediately, this program can query and individual's questions in order to provide them with the contact information to the appropriate Town department or staff member who can.

TextMyGov operates similarly to the current Haywood County Alerts system by allowing Town Staff to distribute communications to our residents and customers with the added benefit of receiving communications from them as well. The goal of implementing this program is to improve our resident and customer experience by providing speedy answers to many of their day-to-day questions, while alleviating the staff time required to take and redirect public inquiries to the appropriate person.

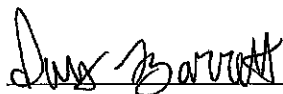
MOTIONS FOR CONSIDERATION

Motion to approve the TextMyGov service contract.

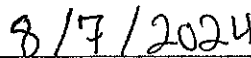
FUNDING SOURCE(S):

This program will services all four funds of the Town of Waynesville. The annual costs of this program are as follows:

<i>Annual Fee:</i>	<i>\$6,500</i>		<i>Annual Cost Per Fund:</i>	<i>\$1,625</i>
<i>Year 1 Implementation Fee:</i>	<i>\$3,250</i>		<i>Year 1 implementation Cost per fund:</i>	<i>\$2,437</i>
<i>Total Start-Up Cost:</i>	<i>\$9,750</i>		<i>- Water, Sewer, Electric, General (from administration)</i>	



Ian Barrett, Finance Director



Date

ATTACHMENTS:

- TextMyGov Service Proposal

MANAGER'S COMMENTS AND RECCOMENDATIONS:

WWW.TEXTMYGOV.COM



TextMyGov

PROPOSAL

DATE: 02/09/2024

PREPARED FOR:
Waynesville
PO Box 100, Waynesville, NC 28786, US

PREPARED BY:
Brad Evanson | Account Executive
TextMyGov

INTRODUCTION TO TEXTMYGOV

TextMyGov was developed to open lines of communication with local government agencies and citizens. The system works 24 hours a day and easily connects with your website and other communication methods.

Using the regular messaging app on any smartphone, the smart texting technology allows the citizen to ask questions and get immediate responses, find links to information on the agency's website, address problems, report any issues and upload photos.

According to the Pew Research Center, 97% of smartphone owners text regularly. The technology analysts at Compuware reported that 80 to 90% of all downloaded apps are only used once and then eventually deleted by users.

TEXTMYGOV SOLUTION

Summary for: Waynesville

Feature	Solution
<i>Find Information</i>	<ul style="list-style-type: none">TextMyGov allows citizens to find information using our smart texting solutions. Citizens can ask questions via text messaging and TextMyGov will look for key words to send back answers or links.<i>Cut down on incoming calls into the office</i>
<i>Report Issues</i>	<ul style="list-style-type: none">Citizens can report issues, such as potholes, stray animals or water leaks by simply texting from their personal phone. From there TextMyGov will automatically engage with the citizen to gather more information and send it to the correct department.<i>Pothole</i>
<i>Send Alerts/Notifications</i>	<ul style="list-style-type: none">Send alerts/notifications from emergencies to events. Municipalities using TextMyGov can send their citizens alerts or notifications with a few clicks.<i>Get information out to residents as fast as possible</i>
<i>Demo Recording</i>	<ul style="list-style-type: none">Intro to TextMYGov Waynesville, NC

COST BREAKDOWN

This quote represents a subscription to TextMyGov with an initial TERM of Two-Year. The agreement is set to be automatically renewed after the initial TERM. Support and services fees may increase in subsequent years but will increase no more than 5% per year. See below for the package price and other details.

Terms and conditions can be printed and attached as Exhibit A or viewed at www.TextMyGov.com/terms
HYPERLINK <http://www.textmygov.com/terms>

Package Details	Price	Billing
TextMyGov: <ul style="list-style-type: none">• TextMyGov web-based software• Local phone number• Short code number (outgoing messages)• Unlimited users & departments• Unlimited support for every user• 10 GB manage online data storage• 50000 Text messages per year	\$6,500.00	Annual
Implementation/Setup Fee	\$3,250.00	One Time
First year total	\$9,750.00	Year one
Total recurring	\$6,500.00	Annual

TERMS

- This is a Two-Year term.
- After the initial Two-Year, the agreement will revert to year-to-year
- Cancellation requires a 60-day written notice
- Customer is required to put TextMyGov widget on agency's website
- This proposal is valid for 30-days
- **Customer is required to provide a copy of W-9**

ADDITIONAL SERVICES

Additional Services	Price	Billing
Enhanced Media & Care Package <ul style="list-style-type: none">Marketing material and expert implementation to promote and optimize TextMyGov, see us here for additional information: Enhance Media Package	Price is based on population- See Account Executive for details.	Annual
Additional Storage <ul style="list-style-type: none">100 GB of additional storage.	\$250 per unit	Annual
Additional Text Messages <ul style="list-style-type: none">25,00050,000100,000	\$300 \$550 \$750	Annual
Database <ul style="list-style-type: none">Database of your local residence to improve citizen engagementDatabase might have been quoted in the original quote. See your package breakdown for details	Price is based on population. See Account Executive for details.	

IMPLEMENTATION

GETTING STARTED

After the execution of the basic service agreement, a project manager will be assigned to assist the client through implementation. A local phone number will be obtained for use with TextMyGov.

CONFIGURATION

The project manager will work with the client to customize interactive responses, create automation flows, and keyword lists. Training will be provided on how to quickly create and edit data.

MEDIA KIT

Advertising materials will be provided to the client, including an infographic for the website and downloadable flyer for social media and other communication methods used by the agency.

Unlimited Training and Support

After initial implementation and training, unlimited on-going support is included. Our experts are available M-F 6am5pm MST.

AGREEMENT CONFIRMATION



We need two contacts for implementation. A cell phone is required for implementation. We also need the best contact for installing the widget on your agency's website

Implementation Contact 1

Name	
Title	
Email	
Office Phone	
Cell Phone	

Implementation Contact 2

Name	
Title	
Email	
Office Phone	
Cell Phone	

Billing Contact

Name	
Title	
Email	
Office Phone	
Address	
W-9	Please attach W-9 in a separate email.

Agreement Signature

Name	
Title	
Date	
Signature	

Widget Contact

Name	
Title	
Email	
Office Phone	

**This person is responsible for placing the TextMyGov widget (see options- [TextMyGov | Widget Link](#)) on the agency's website within 60 days of the agreement signature. The TextMyGov widget will remain on the agency's website for the duration of the agreement. If the widget is not placed on the City/County website within 60 days, the Agency agrees to pay an additional \$1,000 towards setup costs (this is to cover TextMyGov's time).*

TWILIO CONTACT

Twilio Authorized Contact 1

Name

Title

Email

Office Phone

Business Title:

Twilio Authorized Contact 1

Name

Title

Email

Office Phone

Business Title:

I confirm that my nominated authorized representatives agree to be contacted by Twilio.

**Twilio contact can be the same as the implementation contact. Twilio requires us to have two authorized contacts. They rarely reach out, but if there are any support questions, they require these contacts. **

**TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: August 13, 2024**

SUBJECT - CLOSED SESSION

AGENDA INFORMATION:

Agenda Location: Communication from Staff – Town Attorney’s Report

Item Number:

Department: Legal

Contact: Martha Bradley

Presenter: Martha Bradley

BRIEF SUMMARY:

MOTION FOR CONSIDERATION:

Motion to go into closed session pursuant to N.C.G.S. § 143-318.11 to consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee.

FUNDING SOURCE/IMPACT: n/a

ATTACHMENTS: n/a

COMMENTS AND RECOMMENDATIONS