



Town of Waynesville, NC

Town Council Regular Meeting

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

Date: October 22nd, 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. October 8, 2024 Regular Scheduled Meeting Minutes
 - b. Haywood County Benefit Concert Special Event Permit
 - c. Call for a Public Hearing for November 12, 2024, to consider text amendments related to accessory structures and manufactured housing.
 - d. Appointment of Kathy Swingley to the Waynesville Public Art Commission
 - e. Amendment of Personnel Policy
 - f. Move funds from General Fund Balance to Parks and Recreation Building Repairs and Maintenance to replenish charge code after unforeseen repair.

Motion: To approve the consent agenda as presented.

E. PRESENTATION

3. Employee Appreciation
 - Mayor Gary Caldwell

F. NEW BUSINESS

4. Traffic Calming for Howell Street and West Marshall Street

- Ricky Foster, Assistant Director of Public Services

Motion: *Approve the installation of the traffic calming devices on Howell Street and West Marshall Street. Approve the speed limit on West Marshall Street to be identified at 20 MPH.*

5. Approval of Payroll Policy Update

- Page McCurry, Director of Human Resources

Motion: *Approve the revision of the Town of Waynesville Personnel Policy to include provisions for disaster overtime pay.*

6. Approval of straight time pay for exempt staff who worked over 40 hours during the response to Hurricane Helene.

- Page McCurry, Director of Human Resources

Motion: *Approve the request to pay exempt staff, including Department Heads, at straight time rates for hours worked over 40 during the week beginning 09.26.2024 and ending 10.02.2024.*

7. Re-Allocation of ARPA funds

- Rob Hites, Town Manager

Motion: *Approve the allocation of ARPA funds.*

G. COMMUNICATION FROM STAFF

8. Manager's Report

- Town Manager, Rob Hites

9. Town Attorney Report

- Town Attorney, Martha Bradley

H. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

I. 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

October 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. 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 – October 2024

ABC Board	ABC Office – 52 Dayco Drive	October 15th 3 rd Tuesday 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	CANCELLED 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	October 15th 3 rd Tuesday 8:30 AM
Environmental Sustainability Board	Municipal Building-16 South Main Street	October 17th 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	CANCELLED 1 st Wednesday 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	October 20th 3 rd Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	October 10th 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	October 21st 3 rd Monday 5:30 PM
Waynesville Housing Authority	Main Office-48 Chestnut Park Drive	October 16th 3 rd Wednesday 9:00 AM

MINUTES OF THE TOWN OF WAYNESVILLE TOWN COUNCIL
Regular Meeting
October 8, 2024

THE WAYNESVILLE TOWN COUNCIL held a regular meeting on Tuesday, October 8, 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 6:03 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
Olga Grooman, Assistant Director of Development
Page McCurry, Director of Human Resources
Jeff Stines, Public Services Director
David Adams, Police Chief
Ian Barrett, Finance Director
Esther Coulter, Administrative Assistant

Members of the Media:

Becky Johnson, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and announced that the next Town Council meeting will be held on October 22nd. He said that the Chamber of Commerce will decide whether or not to host the Apple Festival on Saturday, October 19th at their Thursday's meeting.

B. 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.

C. 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. Approve the September 24, 2024 Regular Scheduled Meeting Minutes
- b. Approve the September 30, 2024 Emergency Meeting Minutes
- c. Approve the reclassification of one Meter Reader position to Meter Technician and change it from Grade 53 to Grade 56.

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

D. OATH OF OFFICE

3. Joe Sam Queen-Appointment to the North Carolina Rural Infrastructure Authority
 - Mayor Gary Caldwell

Mayor Gary Caldwell administered Joe Sam Queen's Oath of Office for his appointment to the NC Rural Infrastructure Authority.

E. PRESENTATIONS

4. Appointment of Josh Schick to Assistant Police Chief
 - Police Chief David Adams

Police Chief David Adams introduced Assistant Chief of Police Josh Schick and swore him into his position.

5. Update on Hurricane Helene Flood Recovery Community Resources
 - Elizabeth Teague, Development Services Director
 - Alison Richmond, Haywood County Emergency Services PIO and Community Representatives as available, Michael Blackburn and Ian Smith from FUMC

Development Services Director Elizabeth Teague presented the Hurricane Helene flood recovery efforts and community resources update. She said there are several resources to help communities recover and rebuild: <https://sba.gov/hurricane-Helene>; 800-659-2955 for businesses, DisasterAssistance.gov; 800-621-3362 for others or email disastercustomerservice@sba.gov. Ms. Teague requested that residents affected by the flood take photos of the damage to homes and belongings, make a list of damages and estimate their value, file an insurance claim, and then apply to FEMA through the FEMA app, website, or phone number.

Ian Smith, the Director of Community Engagement with FUMC, said they've coordinated approximately 700 volunteers, and delivered supplies to 100 homes. He said that Pisgah Legal will be offering pro bono disaster related legal advice this week.

Alison Richmond, the PIO for Haywood County Emergency Services, reported that post emergency canvas operations are beginning (PECO). She said PECO will be starting in North Canton and making their way with FEMA members throughout the county to assist with individual needs. She said that welfare checks are still happening, but they are almost done. She said all search and rescue efforts are completed. Ms. Richmond said the Red Cross is operating the shelter that is hosting 17 people right now, but those numbers may grow as the weather gets cooler. Councilmember Dickson requested an update on the status and capability of emergency services. Ms. Richmond said they recently became fully staffed. She said that Mission Hospital has moved all their patients out of their hospital.

Ms. Teague presented photos of flood damage to Waynesville homes and businesses. She said everyone on the Development Services team has been working on post-storm damage assessments. Ms. Teague said the data collected between September 30th and October 7th showed 137 structures affected by the flood, and they still have more areas to assess. Ms. Teague said they do damage assessments to help share community resources, expedite permitting, identify unsafe structures, and create a record of flood damage.

Assistant Development Services Director Olga Grooman said that Damage Assessment Forms are official records that must be kept indefinitely. Ms. Grooman said the highest water mark was 6 feet on Rebe Street. She said a lot of mud and sediment was found in homes, accessory structures were pushed away, and water flow undermined foundations. She said out of the 137 structures assessed so far, 12 structures were determined to be substantially damaged.

Ms. Teague said that staff have several suggestions:

- Increase the freeboard from 1 ft above the base flood elevation to 3 ft {Freeboard means the building height added to the Base Flood Elevation (BFE) from the ground (Example: elevated slab, crawlspace, or garage on the first level).}
- Establish a temporary policy to allow people with damaged homes to temporarily use FEMA trailers, campers, travel trailers or RVs, while their homes are being repaired. Ms. Teague said they could allow those residences to have alternate housing on their properties they are repairing for six months or until their active building permits close out.
- Pursue opportunities and funding to improve historic buildings as a part of their repair.

Councilmember Feichter asked for staff to work on the policy regarding temporary housing on the site of damaged properties while they're being repaired. Ms. Bradley suggested a resolution authorizing staff to stay enforcement of certain ordinance provisions for a certain timeframe.

A motion was made by Councilmember Sutton, seconded by Councilmember Feichter to allow for a temporary policy to allow people with unsafe homes to temporarily use FEMA trailers, campers, travel trailers or RVs, while their homes are being repaired for a period of six months. The motion passed unanimously.

Ms. Teague said that Frog Level was severely damaged, and that included several historic properties. She said they would like to improve those properties as part of their repair and help gather resources to assist those property owners via the State Historic Preservation Office.

Councilmember Sutton asked if the town was allowed to override the County's curfew. Ms. Bradley said no.

Public Services Director Jeff Stines said SDR will begin debris removal next Tuesday morning. He said they inspected the 11 bridges in town after the flood and they found the Depot Street bridge near Charlie's Corner was severely damaged and will need to be shut down while it's repaired. Mr. Hites said that JM Teague will most likely recommend temporary structural work with the formal design and permanent fix coming afterwards. He also reported that every town resident's water has been restored. Mr. Stines said the NCDOT is working on the roads in the Camp Branch area to rebuild the road to Lickstone. He said the town is also helping to provide water to Buncombe County and Asheville.

Councilmember Dickson reported that County Commissioners Kevin Ensley and Jennifer Best, Sherriff Wilke, the county manager and attorney, Maggie Valley Alderman John Hinton, Director of the TDA Corrina Ruffieux, and Alison Richmond met to discuss the state of the county and the readiness of accepting visitors to the area. He said they are working to produce a short video and statement which will be updated as needed that can be put out to visitors. He said the video and statement will provide information on closures and what visitors can expect when visiting the area. He reminded everyone that a week ago, the Governor and NCDOT stated not to come to Haywood County, but the TDA should put a statement out soon approving visitors to come to Haywood County while noting certain limitations regarding medical services limitations.

Town Manager Rob Hites reported that Councilmember Sutton has been working on getting temporary cell towers to Haywood County. He said that he and Mayor Caldwell met with Rep. Pless and Speaker Moore to discuss funding to help with disaster aid and also met with the FEMA representative today to discuss the public sector response to the storm and setting up a temporary office in the community. Mr. Hites said that the town staff are assisting Haywood EMC to restore power in the county and assisting EMS staff in recovery efforts.

F. PUBLIC COMMENT

Ann Walsh, owner of Ava and Arden- Ms. Walsh said that it was distressing to hear last week that the TDA was recommending visitors to not travel to Waynesville. She said businesses are open and need the income from tourism. She said they did Art After Dark last week on Main Street and the community was very appreciative. Ms. Walsh said since the storm, her profits are down 44% and she's had to cut back on staffing.

Spencer Tetrault, owner of Axe and Awl- Mr. Tetrault requested that Council revoke the 60 day lead time usually required to submit a special events permit. He said they are wanting to host a fundraising event on November 2nd event for first responders and to help drive traffic to the downtown area. He suggested forming a subcommittee to help with decision making for the DWC.

Charles Trump, owner of Olde Brick House- He asked for Council to find a way to work with the Haywood County TDA to open the town up to visitors. He said this time of year is vital to local businesses.

Theresa Young, American Red Cross- Ms. Young introduced Jerri Goldberg, the Executive Director of the WNC Chapter of the Red Cross and explained the different services that the Red Cross offers: shelter, food, water, first responders, and health services.

G. COMMUNICATION FROM STAFF

6. Manager's Report

- Town Manager, Rob Hites

Nothing to report.

7. Town Attorney Report

- Town Attorney, Martha Bradley

Town Attorney Martha Bradley presented a memorandum to Council that offers guidance for policy decisions in response to the flood. She reminded Council that she will be out of town for the next meeting.

H. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

Councilmember Dickson said FEMA is renting rooms in Haywood County.

Councilmember Freeman said the Elks Lodge will have hot meals from 3-5pm and tractor trailer loads of water and food.

A motion was made by Councilmember Freeman, seconded by Councilmember Dickson, to waive the 60 day application process for the November 2nd benefit event for first responders. The motion passed unanimously.

Councilmember Sutton publicly thanked Rep. Mark Pless for getting together with Speaker Tim Moore, the Mayor, Mr. Hites and himself to discuss financial aid for the flood.

I. ADJOURN

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to adjourn at 7:47pm. The motion passed unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Candace Poolton, Town Clerk



Application for Special Events Permit

I. General Information

EVENT NAME: Axe & Awl Leatherworks Presents A concert series benefit for Waynesville Fire & Pigeon Center

EVENT DATE(S): November 2, 2024

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: Axe & Awl Leatherworks, 41 Depot St. Waynesville, Nc 28786

IF THIS EVENT IS A PARADE OR ROAD RACE: NA

SET-UP TIME (START/END): 7:30am-9:30am

EVENT HOURS: 10am-5pm

DISMANTLE HOURS (START/END): 5pm-6pm

ESTIMATED ATTENDANCE: 1000? This is a first year project but will be heavily marketed.

BASIS ON WHICH THIS ESTIMATE IS MADE: _____

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

II. Applicant and Sponsoring Organization Information

SPONSORING ORGANIZATION NAME: Axe & Awl Leatherworks

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

APPLICANT NAME: Axe & Awl Leatherworks TITLE: _____

ADDRESS: 41 Depot St CITY: Waynesville STATE: NC ZIP: 28786

PHONE: 828-2460 996 FAX#: _____ EMAIL: axeandawlleatherworks@gmail.com

ON-SITE CONTACT: Ashlev Tetrault TITLE: Event Coordinator

ADDRESS: _____

PHONE #: _____ CELL PHONE #: 828-243-1481 EMAIL: ashley@axeandawlleatherworks.com

III. Brief Description of Event

As a way to support our community after the tragic event of Hurricane Helene are collaborating with local musicians and BBQ food vendors to offer an event to our community to support the Waynesville Fire Department & Pigeon Center. We will be offering Haywood county retailers who suffered damage to their retail spaces an opportunity to set up and sell their goods.

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. Depot street from Montgomery to Main 7:30am-6:30pm

2.

3.

V. Event Details

YES NO

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

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**? ___Yes___

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

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

Number of Stages: 1 Number of Band(s): TBD Amplification? Yes

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 41 Depot Street

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: Yes

Approx. Number of Tents: 12 Will any tent exceed 400 sq. feet in area? **NO** YES

Does the event involve the use of **pyrotechnics**? Explain No

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

Will you require **electrical hookup** for the event? Generators? N

Will you require **access to water** for the event? Explain N

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

Will **fees be charged to vendors** to participate in this event? If "YES", please provide the amount(s). No

Will **signs and/or banners** be displayed as part of the event? If "YES" have you applied for a sign permit? No

Will **inflatable parade balloons** be used for the event? Provide details if necessary. NO

VI. Additional Questions

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

Street parking, parking garage

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?

Mobile receptacles

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

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

Return to:

**Beth Gilmore, Downtown Waynesville Director &
Jesse Fowler, Assistant Town Manager**

Town of Waynesville

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

Telephone: (828) 456-3517

Fax No. : (828) 456-2000

**Email Address: bethgilmore@waynesvillenc.gov
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:

Apple Harvest Festival

Montgomery St

Haywood County Register of Deeds

Stage

Beer Garden

- 16
- 15
- 14
- 13
- 12
- 11
- 10
- 9
- 8
- 7
- 6
- 5
- 4
- 3
- 2
- 1

Orchard Coffee
Top rated

Haywood County
Human Resources

Gateway to the
Smokies Plaza

Sauced - Pizza,
Tacos, Taps
Not busy

The Southern Loft

BUS
23

**THE
CINCINNATI INSURANCE COMPANIES**

THE CINCINNATI INSURANCE COMPANY THE CINCINNATI INDEMNITY COMPANY
 THE CINCINNATI CASUALTY COMPANY

Named Insured: AXE & AWL INC

Policy Number: EPP 065 83 82

Policy Period: 06-24-2022 to 06-24-2025

Effective Date of Change: 05-24-2023

Endorsement Number: 2

Agency Name: THE L.N. DAVIS COMPANY 32-057
WAYNESVILLE, NC

Explanation of Billing

A change was recently made to your policy with The Cincinnati Insurance Companies. Attached to this summary is the endorsement that amends your policy.

The additional premium for this endorsement is \$ 38

This premium is for the time period of 05-24-2023 to 06-24-2023. You will receive a statement based on the payment option you have selected.

Please contact your agency if you have any questions concerning your policy or statement:

THE L.N. DAVIS COMPANY
143 N MAIN ST
WAYNESVILLE, NC 28786-3809

828-452-2876

This is not a bill. No payment is necessary at this time.

THIS ENDORSEMENT CHANGES THE POLICY. PLEASE READ IT CAREFULLY.

GENERAL CHANGE ENDORSEMENT

Attached to and forming part of:

Auto / Garage
Policy Number

All Other
Policy Number EPP 065 83 82

Effective Date
of Endorsement 05-24-2023

Issued to AXE & AWL INC
Agent THE L.N. DAVIS COMPANY 32-057
WAYNESVILLE, NC

Endorsement # 2

PREMIUM INFORMATION

Additional Premium Due at Endorsement Effective Date REFER TO IA4319

Subsequent Annual Installments Increased by \$ _____

Revised Annual Installment Payment(s) \$ _____

It is agreed that the policy is amended as indicated by

Policy Installment Premium Amended to:

Annual Semi-Annual Quarterly

Named Insured

Mailing Address

Form(s) Added

IL0021 04/98	NUCLEAR ENERGY LIABILITY EXCLUSION ENDORSEMENT (BROAD FORM)
GA539 07/08	LIQUOR LIABILITY COVERAGE PART DECLARATIONS
CG0033 04/13	LIQUOR LIABILITY COVERAGE FORM
CG0305 01/96	DEDUCTIBLE LIABILITY INSURANCE
GA4534 09/20	LIQUOR LIABILITY AMENDATORY ENDORSEMENT

Form(s) Deleted

All Other Reason for Change

ADDING GA539 ATTACHED

Auto / Garage Reason for Change

COINSURANCE CONTRACT

The rate charged in this policy is based upon use of a coinsurance clause attached hereto, with the consent of the insured.

IA-461 (6/10)

05-31-2023 13:46



The Cincinnati Insurance Company
The Cincinnati Casualty Company
The Cincinnati Indemnity Company

Policy Number: EPP 065 83 82

Effective Date: 06-24-2022

Named Insured: AXE & AWL INC

For professional advice and policy questions or changes, please contact your local independent agency:

THE L.N. DAVIS COMPANY
143 N MAIN ST
WAYNESVILLE, NC 28786-3809

828-452-2876

Dear Policyholder:

Thank you

Thank you for trusting The Cincinnati Insurance Companies with your commercial insurance coverage. We recognize that locally based independent agents have the working knowledge to help you choose the right insurance company for your needs. Together with your local independent insurance agency, we are committed to providing you with the highest level of service.

Please review your enclosed policy information to verify your coverage details, as well as deductibles and coverage amounts. Should your needs change, your agent is available to review and update your policy.

Please promptly report claims

If you experience a policy-related loss, you may report it by contacting your local professional independent agency representing The Cincinnati Insurance Companies or by directly calling us toll-free at **877-242-2544** and providing your policy number and claim-related information.

Sincerely,

Sean M. Givler
Senior Vice President - Commercial Lines



The Cincinnati Insurance Company ■ The Cincinnati Indemnity Company
The Cincinnati Casualty Company ■ The Cincinnati Specialty Underwriters Insurance Company
The Cincinnati Life Insurance Company

Notice to Policyholders – Cincinnati Data Defender™

Data breach and identity recovery support and resources included with your insurance policy

To:

AXE & AWL INC

Policy Number: EPP 065 83 82

Expiration Date: 06-24-2025

Agency: THE L.N. DAVIS COMPANY 32-057

Your policy includes Cincinnati Data Defender coverage for an additional premium, helping to safeguard your business against the rising costs of a data breach and offering services to assist you in the event of identity theft. Please save this information so you can access all the tools and resources that come with your cyber protection. Refer to Cincinnati Data Defender Coverage Form, HC102, for a complete statement of coverages, exclusions and limits of insurance.

Policyholder tools and resources

Cyber risk management portal – You gain access to <https://eriskhub.com/cic>, a portal that provides you with the comprehensive, on-demand resources you need to:

- Create your breach response plan from the template
- Learn about breach laws that apply to your business
- Use the compliance reference guide and notification letter examples
- Locate credit bureau and government agency notification information
- Learn how to contact data risk management experts for more help

In addition, you are entitled to two hours of risk management services at no additional charge – one hour of pre-incident cyber/privacy risk legal consulting with one of the participating law firms, and one hour of cybersecurity risk consulting services with one of the participating cybersecurity vendors. While some of the services are similar – such as risk assessment, incident response planning and review – the law firm services focus on legal requirements, while cybersecurity vendors focus on technical cybersecurity requirements. To take advantage of these risk management services anytime, visit <https://eriskhub.com/cic> for a list of participating companies. You may be asked to provide your policy number.

The first time you visit eRiskHub, please complete new user registration using this information:

Access code = 12116-868

Identity theft services – You also receive case management services and reimbursement for covered expenses if you, as a business owner, become the victim of identity theft or account takeover. If you suspect that you may be an identity theft victim or you have questions, please call our Identity Recovery Help Line, 866-219-9831.

Claims service

If you suspect or know that a data breach may have exposed or compromised your organization's private, customer or personal data, a swift response is critical for your protection. Please note that the cyber risk management portal and help line provide advice and information, and using them does not satisfy any notice of claim requirement. The only way to report a claim is to contact your independent agent or call us directly, 877-242-2544, for claims service anytime. Your agent and Cincinnati will work with you to preserve your company's goodwill, prevent regulatory sanctions or fines, avoid civil litigation and safeguard your business reputation.

Please contact your agent representing Cincinnati with questions about this valuable coverage.

Thank you for trusting your agent and Cincinnati to protect your business.

**TOWN OF WAYNESVILLE COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: October 22, 2024**

SUBJECT: Call for a Public Hearing for November 12, 2024, to consider text amendments related to accessory structures and manufactured housing.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Development Services
Contact: Olga Grooman
Presenter: Olga Grooman

BRIEF SUMMARY:

The proposed text amendments introduce more flexibility in number, type, and placement of accessory dwelling units on single-family lots. Recognizing the need for attainable housing, particularly for families on existing lots, the Development Services Department has encountered situations where zoning regulations prevented families from accommodating relatives in accessory dwellings, even though such units did not increase density, violate setbacks, or change permitted housing types for the district. These amendments seek to remove such barriers and promote affordable, smaller housing options. The proposed amendment promotes flexibility in the number and placement of accessory dwellings on a single lot, without compromising the district's density, setbacks, minimum pervious surface, or other LDS requirements.

Another proposed change is the refined definition of a manufactured home park. Currently, the definition considers two (2) or more homes on a single parcel as a park. However, instances have occurred where homes on separate lots were deeded as a park. This discrepancy has led to confusion in applying the LDS standards related to manufactured housing design guidelines, which differ between manufacturing home parks and standalone homes.

MOTIONS FOR CONSIDERATION:

1. Motion to call for a Public Hearing for November 12, 2024, to consider text amendments related to accessory structures and manufactured housing.

FUNDING SOURCE/IMPACT:

N/A

ATTACHMENTS:

None

MANAGER'S COMMENTS AND RECOMMENDATIONS:

This is a call for public hearing only.

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: October 22, 2024**

SUBJECT: Appointment of Kathy Swingley 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, Ms. Swingley's term would end June 30th, 2025. Ms. Swingley lives in the county, but there are no residency requirements to serve on the WPAC.

MOTIONS FOR CONSIDERATION

Motion to appoint Kathy Swingley to the Waynesville Public Art Commission

ATTACHMENTS:

MANAGER'S COMMENTS AND RECCOMENDATIONS

REQUEST FOR COUNCIL ACTION
Meeting Date 10/22/2024

SUBJECT: Amendment of Personnel Policy

AGENDA INFORMATION:

Agenda Location: Consent

Item Number:

Department: Administration

Contact: Rob Hites

Presenter: Rob Hites

BRIEF SUMMARY: The Council amended its Drug-Free and Alcohol-Free Workplace policy in 2023. The amendment states that “Any person found guilty of driven while intoxicated/impaired, or any other felony within three (3) years of their application for their employment with the Town of Waynesville, or during their employment with the Town of Waynesville , shall be disqualified from employment with the Town of Waynesville.” In order to expand the pool of qualified candidates, we recommend that the three- year restriction on application or reapplication to the Town be reduced from three to two years.

MOTION FOR CONSIDERATION: Amend Workplace Safety Section of Personnel Policy to reflect a two year waiting period before a person convicted of felony driving under the influence of alcohol or drugs may apply or reapply for a position with the Town.

FUNDING SOURCE/IMPACT: All Funds

ATTACHMENTS: None

MANAGER’S COMMENTS: See Above

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: October 22, 2024**

SUBJECT: Move funds from General Fund Balance to Parks and Recreation Building Repairs and Maintenance to replenish charge code after unforeseen repair.

AGENDA INFORMATION

Agenda Location: Consent Agenda
Department: Parks and Recreation
Contact: Luke Kinsland, Parks and Recreation Director
Presenter: Luke Kinsland

BRIEF SUMMARY

On June 10, 2024, a piece of duct work fell through the ceiling in the armory cafeteria wing, causing severe damage to the entire grid ceiling. This project went out to bid and the lowest bid (\$54,000) was accepted. We took this amount of money out of Parks and Recreation building maintenance and repairs to allow immediate repair and maintain armory operations. We use that line item for maintenance on both the armory and the rec center. Now that the project is near completion, we need to replenish this line item so we can continue to maintain our buildings.

MOTIONS FOR CONSIDERATION

Approve moving funds from the general fund balance to replenish Parks and Recreation building repairs and maintenance.

FUNDING SOURCE/IMPACT:


Ian Barrett, Finance Director

10-14-2024
Date

ATTACHMENTS:

MANAGER'S COMMENTS AND RECCOMENDATIONS

Ordinance No. O-48-24

Amendment No. 10 to the 2024-2025 Budget Ordinance

WHEREAS, the 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	\$54,000
--------------	----------

Increase the following appropriations:

Building Repairs and Maintenance	\$54,000
----------------------------------	----------

Adopted this 22nd day of October 2024.

Town of Waynesville

Gary Caldwell
Mayor

Attest:

Candace Poolton
Town Clerk

Approved As To Form:

Martha Sharpe Bradley
Town Attorney

**TOWN OF WAYNESVILLE COUNCIL MEETING
REQUEST FOR COUNCIL ACTION
Meeting Date: October 22, 2024**

SUBJECT: Employee Appreciation

AGENDA INFORMATION:

Agenda Location New Business

Item Number:

Department: Public Services

Contact: Jeff Stines, Director of Public Services

Rob Hites, Town Manager

Presenter: Gary Caldwell, Mayor

BRIEF SUMMARY: During the past few weeks, we have experienced catastrophic devastation in and to our Town from the impacts of Hurricane Helene. The Public Services Department, along with others, have shown their ongoing dedication to this Town with the response by their hard work during this trying time. I would like to see the employees from Public Services be recognized for their efforts and dedication to Waynesville and the Citizens during this difficult time. I feel this would be a huge morale booster if these certificates are presented by Council/Mayor.

MOTION FOR CONSIDERATION: Present each employee (that will attend) with a personalized certificate of appreciation for their efforts during the recovery efforts of Hurricane Helene.

FUNDING SOURCE/IMPACT: N/A

ATTACHMENTS: N/A

MANAGER'S COMMENTS AND RECOMMENDATIONS:

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: 10/22/24**

SUBJECT Traffic Calming for Howell Street and West Marshall Street

AGENDA INFORMATION:

Agenda Location: New Business

Item Number:

Department: Street Department

Contact: Ricky Foster, Assistant Director of Public Services

Presenter: Ricky Foster, Assistant Director of Public Services

BRIEF SUMMARY: We have two traffic calming requests that need to be installed. One on Howell Street and the other on West Marshall Street.

MOTION FOR CONSIDERATION: Approve the installation of the traffic calming devices on Howell Street and West Marshall Street. Approve the speed limit on West Marshall Street to be identified at 20 MPH.

FUNDING SOURCE/IMPACT: Street and Sanitation Materials and Supplies

ATTACHMENTS: Traffic Calming recommendations for Howell Street and West Marshall Street

MANAGER'S COMMENTS:



1155 North Main Street
Waynesville, NC 28786
(P) 828.456.8383
(F) 828.456.8797

www.jmteagueengineering.com

JMTE WAYN 1400
TECHNICAL MEMORANDUM

July 25, 2024

To: Town of Waynesville
Robert Hites, Town Manager
9 South Main Street, Suite 110
Waynesville, NC 28786
rhites@waynesvillenc.gov

From: David W. Hyder, P.E., Engineering Director *David W. Hyder, P.E.*
J.M. Teague Engineering & Planning

Subject: Mountain Creek Way Speed Study (WAYN 1400)

INTRODUCTION

The Town of Waynesville requested that J.M. Teague Engineering & Planning (the Engineer) conduct a speed and volume study on Mountain Creek Way between Russ Avenue and W. Marshall Street in preparation for the Town of Waynesville to assume maintenance and ownership of the road.

Mountain Creek Way serves the Mountain Creek Apartments, and concerns have been raised by residents and management regarding increased traffic and speeding vehicles, exacerbated by construction on Russ Avenue at Walnut Street.

DATA COLLECTION

Mountain Creek Way is a two-lane road with a curb and gutter, featuring parking on both sides of the road in segments 2 and 3. The study spanned from Russ Avenue to W. Marshall Street. The Engineer conducted a 48-hour data collection period from Noon on Tuesday, July 9, 2024, to Noon on Thursday, July 11, 2024. Traffic cameras captured speed and volume data, complemented by photographs and roadway geometry analysis.

STUDY AREA AND SEGMENTATION

Figure 1 illustrates the study area with the three (3) segments:

- Segment 1: Russ Avenue to the curve before the Lease Office (304 feet),

- Segment 2: From the end of Segment 1, passing the Lease Office to the next curve (298 feet), and
- Segment 3: From the end of Segment 2 to W. Marshall Street (570 feet).

The green lines denote segment divisions, while the red squares indicate camera locations.

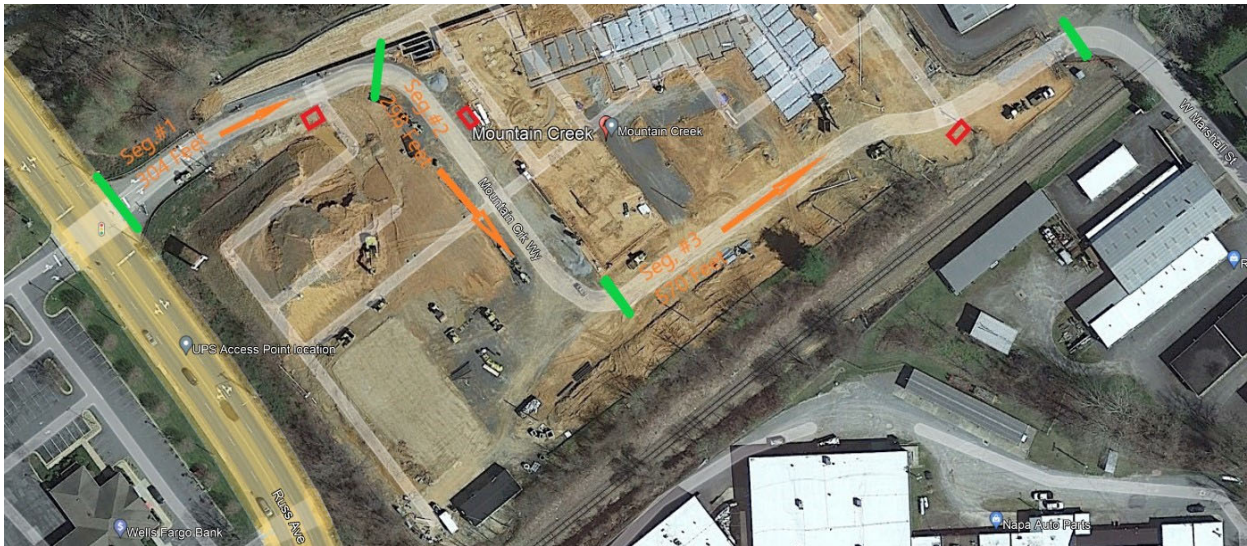


Figure 1: Study Area for Mountain Creek Way

DATA SUMMARY

Table 1 summarizes the data obtained from the 48-hour traffic camera study. The data is shown by the study segment with the road direction. The site average speeds are rounded to the nearest mile per hour.

Table 1: Mountain Creek Way Data

	Russ Ave to Office Segment 1 (EB/WB)	Office to Curve Segment 2 (NB/SB)	W Marshall St to Curve Segment 3 (EB/WB)	Site Average**
WB/SB Average Speed (MPH):	18	21	17	19
EB/NB Average Speed (MPH):	13	15	10	13
WB/SB 85th Percentile Speed (MPH):	21	27	21	23
EB/NB 85th Percentile Speed (MPH):	15	19	15	16
Overall Average Speed (MPH):	16	18	14	16
Overall 85th Percentile Speed (MPH):	18	23	18	20
Total Vehicles:	2062	2263	1308	1878
** Rounded to the nearest mile per hour				

The 85th percentile speed is the speed at or below which 85% of drivers will operate with open roads and favorable conditions. The 85th percentile speed assumes that most drivers will operate their vehicles at a speed they perceive to be safe.

ANALYSIS

JMTE utilized three CountCAM 3 traffic cameras (in Count mode) for data collection, as depicted in Figure 2. Segment 2, near the Lease Office, recorded the highest overall 85th Percentile Speed of 23 MPH, while Segments 1 and 3 maintained an 85th Percentile Speed of 18 MPH. Notably, the Russ Avenue segment saw 2,062 vehicles compared to 1,308 vehicles at the W. Marshall Street segment.



Figure 2: Photo of a CAM 3 Traffic Camera Used in Segment #2

RECOMMENDATIONS

The Engineer recommends the following solutions for Mountain Creek Way to increase public health and safety:

- Set the speed limit to 20 MPH,
- This recommended speed is based on the average 85th-percentile speed,
- Install MUTCD-compliant (R2-1) speed limit signs on all segment approaches,
- Recommend a raised crosswalk and ADA-compliant ramp where the greenway fence ends heading towards Russ Avenue and the greenway entrance. See Figure 3 for the approximate location,
 - This will also help to slow down the traffic coming from Russ Avenue.
 - Install MUTCD-compliant (W11-2 with W16-7P) Pedestrian crossing signs



Figure 3: Proposed Raised Crosswalk Location

- Stripe the center of the road with double yellow lines to show the center of the road and no passing, and
- Install speed cushions in Segment 2 to further slow traffic, if warranted, in the future.

CONCLUSION

The speed study data on Mountain Creek Way between Russ Avenue and W. Marshall Street suggests setting a speed limit of 20 miles per hour, based on the average 85th percentile speed. It is recommended to install MUTCD-compliant speed limit signs along the approaches to reinforce this speed limit. Additionally, the installation of a raised crosswalk and MUTCD-compliant pedestrian crossing signs at the greenway entrance near the Russ Avenue intersection is advised. This measure will act as a speed table, further reducing traffic speeds and enhancing safety for both pedestrians and drivers.

The vehicle volumes indicate that drivers are using Mountain Creek Way as a bypass due to the Russ Avenue and Walnut Street road closure. When the new bridge at Russ Avenue and Walnut Street is completed and opened, it is expected that the through traffic volume on Mountain Creek Way will diminish.

Appendix A provides additional information on the MUTCD-compliant signage, road striping, and raised crosswalk information.

If you have any questions or comments regarding this memorandum, please do not hesitate to contact us.

APPENDIX A OTHER INFORMATION



Figure 4: MUTCD R2-1 Speed Limit Sign



R1-5a
Yield Here to Pedestrians

Sign image from the Manual of Traffic Signs <<http://www.trafficign.us/>>
This sign image copyright Richard C. Moeur. All rights reserved.



R1-5a
Yield Here to Pedestrians

Sign image from the Manual of Traffic Signs <<http://www.trafficign.us/>>
This sign image copyright Richard C. Moeur. All rights reserved.

Figure 5: MUTCD 1-5a Yield To Pedestrians



W11-2
Pedestrian

Sign image from the Manual of Traffic Signs <<http://www.traffic-sign.us/>>
This sign image copyright Richard C. Mouser. All rights reserved.



W11-2
Pedestrian

Sign image from the Manual of Traffic Signs <<http://www.traffic-sign.us/>>
This sign image copyright Richard C. Mouser. All rights reserved.



W11-2
Pedestrian

Sign image from the Manual of Traffic Signs <<http://www.traffic-sign.us/>>
This sign image copyright Richard C. Mouser. All rights reserved.

Figure 6: MUTCD W11-2 Pedestrian Crossing

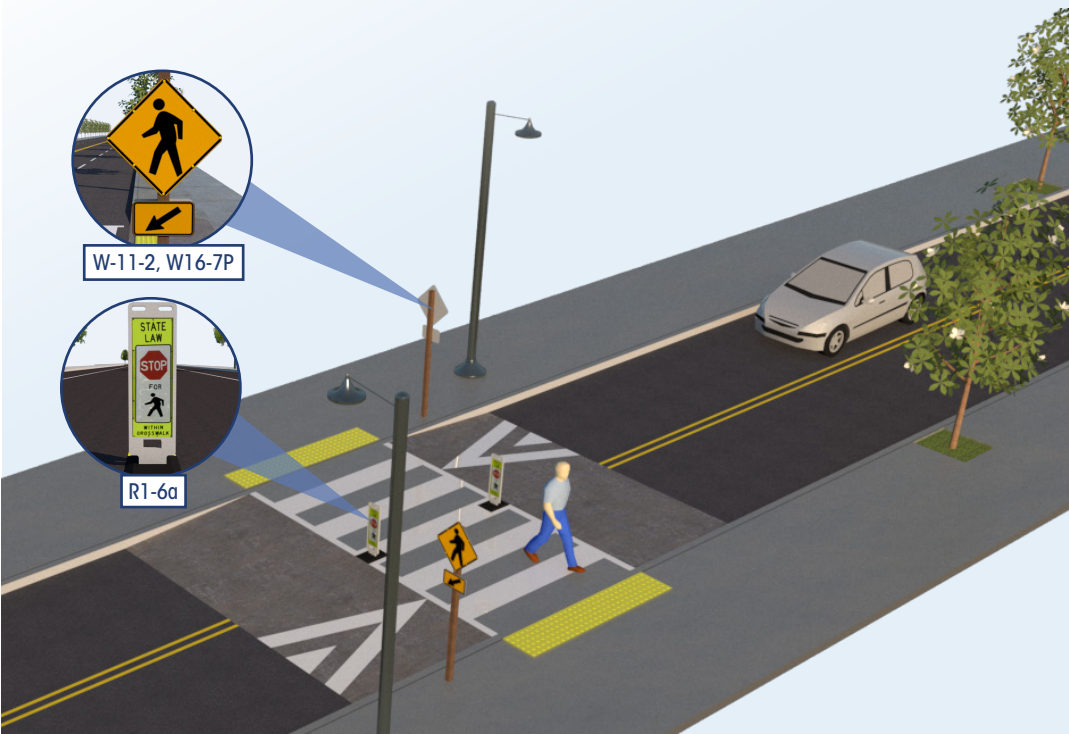


Figure 7: MUTCD W16-7p Diagonal Arrow

Raised Crosswalk

**SAFE TRANSPORTATION
FOR EVERY PEDESTRIAN**


COUNTERMEASURE TECH SHEET




Raised crosswalks are ramped speed tables spanning the entire width of the roadway, often placed at midblock crossing locations. The crosswalk is demarcated with paint and/or special paving materials. These crosswalks act as traffic-calming measures that allow the pedestrian to cross at grade with the sidewalk.

In addition to their use on local and collector streets, raised crosswalks can be installed in campus settings, shopping centers, and pick-up/drop-off zones (e.g., airports, schools, transit centers).

Raised crosswalks are flush with the height of the sidewalk. The crosswalk table is typically at least 10 feet wide and designed to allow the front and rear wheels of a passenger vehicle to be on top of the table at the same time. Detectable warnings (truncated domes) and curb ramps are installed at the street edge for pedestrians with impaired vision.

 Local and collector roads with high speeds pose a significant challenge for pedestrians crossing the roadway.

 A raised crosswalk can reduce vehicle speeds and enhance the pedestrian crossing environment.

Raised crosswalks can reduce pedestrian crashes by

45%



FEATURES:

- Elevated crossing makes the pedestrian more prominent in the driver's field of vision, and allows pedestrians to cross at grade with the sidewalk
- Approach ramps may reduce vehicle speeds and improve motorist yielding

OFTEN USED WITH:

- Crosswalk visibility enhancements

Raised Crosswalk

EDC-4 STEP: https://www.fhwa.dot.gov/innovation/everydaycounts/edc_4/step.cfm



CONSIDERATIONS

Raised crosswalks are typically installed on 2-lane or 3-lane roads with speed limits of 30 mph or less and annual average daily traffic (AADT) below about 9,000. Raised crossings should generally be avoided on truck routes, emergency routes, and arterial streets.

Drainage can be an issue. Raised crosswalks may be installed with curb extensions where parking exists. They may also be used at intersections, particularly at the entrance of the minor street.

Since this countermeasure can cause discomfort and noise (especially with larger vehicles), it may be appropriate to get public buy-in. Raised crosswalks may not be appropriate for bus transit routes or primary emergency vehicle routes. For States that experience regular snowfall, snowplowing can be a concern.

COST

The cost associated with a raised crosswalk ranges from \$7,110 to \$30,880 each, with the average cost estimated at \$8,170.

References

Federal Highway Administration. (2013). "Raised Pedestrian Crossings" in PEDSAFE: Pedestrian Safety Guide and Countermeasure Selection System. Available: http://www.pedbikesafe.org/PEDSAFE/countermeasures_detail.cfm?CM_NUM=7

Thomas, L., Thirsk, N. J., & Zegeer, C. (2016). NCHRP Synthesis 498: Application of Pedestrian Crossing Treatments for Streets and Highways. Transportation Research Board, Washington D.C.

Bushell, M., Poole, B., Zegeer, C., & Rodriguez, D. (2013). Costs for Pedestrian and Bicyclist Infrastructure Improvements: A Resource for Researchers, Engineers, Planners, and the General Public. Pedestrian and Bicycle Information Center.

Elvik, R., Christensen, P., and Amundsen, A. (2004). "Speed and Road Accidents An Evaluation of the Power Model." Transportøkonomisk Institutt, Oslo, Norway.



1155 North Main Street
Waynesville, NC 28786
(P) 828.456.8383
(F) 828.456.8797
www.jmteagueengineering.com

JMTE: WAYN 1286

TECHNICAL MEMORANDUM

June 1, 2022

To: Town of Waynesville

Jeff Stines
Public Services Director
129 Legion Drive
PO Box 100
Waynesville, NC 28786
jstines@waynesvillenc.gov

From: David Hyder, P.E., Engineering Director *David W. Hyder*
J.M. Teague Engineering & Planning (JMTE)

Subject: Traffic Calming Request Assistance - Phase II - Mitigation

Request: 03/22/2022, David McHenry, 334 Howell St. Waynesville, NC 28786

Studied Roadway: Howell Street; connects and runs between East Street & Wall Street

Study Conclusion: Howell Street between East Street and Wall Street is a two-lane, two-way shoulder section that is recorded as approximately sixteen (16) feet wide on the southern end near East Street and recorded as approximately eighteen (18) feet wide at the northern end near Wall Street. There is an asphalt curb along most of the south/west edge of the street and a short segment of sidewalk at the northern/eastern portion near Haywood Nursing and Rehabilitation Center. While predominately residential, there is a neighborhood park on Howell Street and some commercial businesses at the north end. The intersections of East Street and Wall Street on Howell Street are controlled by stop signs on Howell Street. Oak Street, Welch Street, and Hyde Street intersect Howell Street at stop-controlled intersections.

The daily traffic volume on Howell Street between East Street and Wall Street does not meet the Town of Waynesville's average daily traffic (ADT) threshold for consideration of implementing traffic calming measures. It is a low-volume roadway. However, the 85th percentile observed speeds at this location are more than 15 mph above the posted speed limit. A high proportion of cars were recorded going five-to-ten miles over the posted speed limit, with some outliers traveling double the speed limit.

Due to these factors, it is recommended that this location be advanced through the Town's traffic calming process with recommended mitigation strategies. The following report was created for inclusion

in the Town’s formal petition package to be sent to the requestor based on speed study results analyzed in Phase I.

Study Traffic Shed

The following map shows the traffic shed identified for this road segment’s study and analysis. This traffic shed was developed in reference to the Waynesville Traffic Calming Policy that states, *“The size and extent of the service area will take into consideration the type of traffic calming project being proposed, the layout and type of properties in the vicinity, and the characteristics of the street network surrounding the proposed project site(s). Depending on the circumstances, the service area may include:*

- *All properties abutting the proposed street segment to be modified.*
- *All properties on adjacent street(s) with ingress/egress only possible via the modified street segment.*
- *All properties on adjacent street(s) that have alternative points of ingress/egress but will be otherwise affected by the modified street segment.”*

JMTE determined that all residents on Howell Street between East Street and Wall Street will be affected by the proposed traffic calming measures.

Residents on Hyde Street rely on Howell Street exclusively for ingress and egress, so the properties on Hyde Street were included in the traffic shed. This roadway segment does feature some commercial properties (on Howell Street and Wall Street), with a signature required from a representative.

Howell Street Traffic Shed Map



Property owners in the identified traffic shed

PIN	Address	Owner/Resident Name	Property Owner/Resident Signature
8615-47-7896	428 Welch St	Benson, Samuel K Other:	
8615-47-7926	Welch St	Burgin, Sara M Other:	
8615-47-8768	132 Howell St	Rathbone, Wayne B Other:	

PIN	Address	Owner/Resident Name	Property Owner/Resident Signature
8615-47-9686	170 Howell St	<i>Jeter, Wallace</i> <i>Other:</i>	
8615-47-9733	150 Howell St	<i>Owner or Resident:</i>	
8615-48-5085	68 Howell St	<i>Commercial business representative:</i>	
8615-48-7145	77 Howell St	<i>Mattie F Ogden Rev Trust</i> <i>Other:</i>	
8615-48-8078	516 Wall St	<i>Commercial business representative:</i>	
8615-48-8203	452 Wall St	<i>Commercial business representative:</i>	
8615-56-3800	372 Howell St	<i>Town of Waynesville</i>	
8615-56-5968	334 Howell St	<i>Mchenry, David G,</i> <i>Mchenry, Angela L</i> <i>Other:</i>	
8615-56-6911	354 Howell St	<i>Lindsay, Norma Abel</i> <i>Other:</i>	
8615-56-9728	408 Howell St	<i>Moore, Ada B</i> <i>Other:</i>	
8615-56-9792	426 Howell St	<i>Hendricks, Raymond Reid</i> <i>Other:</i>	
8615-56-9906	397 Howell St	<i>Woods, Patri Ann</i> <i>Woods, Wendell Grant</i> <i>Other:</i>	
8615-57-0631	182 Howell St	<i>Bennett, Elizabeth A/Lt</i> <i>Gordon, John/Lt</i> <i>Other:</i>	
8615-57-1209	52 Hyde St	<i>Chandler, Tom L/Le</i> <i>Chandler, Freida L/Le</i> <i>Other:</i>	
8615-57-1439 8615-57-1443	200 Howell St 202 Howell St	<i>Nations, Helen</i> <i>Other:</i>	
8615-57-1933	Howell St Tr #A	<i>Owner or Resident:</i>	
8615-57-2139	41 Hyde St	<i>Plemmons, Doyle Edward</i> <i>Plemmons, Susie</i> <i>Other:</i>	
8615-57-2735	Howell St Tr #B	<i>Mclean, Russell L III</i> <i>Other:</i>	
8615-57-3207	39 Hyde St	<i>Young, James E</i> <i>Young, Victoria S</i> <i>Other:</i>	

PIN	Address	Owner/Resident Name	Property Owner/Resident Signature
8615-57-3306	240 Howell St	<i>Aldredge, Linda</i> <i>Other:</i>	
8615-57-3417	15 Oak St	<i>Haney, Susan</i> <i>Other:</i>	
8615-57-3650	25 Oak St	<i>Melton, Paul James</i> <i>Melton, Bertha</i> <i>Other:</i>	
8615-57-4004	310 Howell St	<i>Buchanan, Evelyn Marie</i> <i>Other:</i>	
8615-57-4105	292 Howell St	<i>Rathbone, Robbie Douglas</i> <i>Rathbone, Margaret Ann</i> <i>Other:</i>	
8615-57-4396	55 Sunset St	<i>Yeomans, Donald S</i> <i>Other:</i>	
8615-57-4425	28 Oak St	<i>Evergreen Foundation Inc</i> <i>Representative:</i>	
8615-57-4608	43 Oak St	<i>Donaldson, Steven W/Tr</i> <i>Helen P Clampitt Irrev Trust</i> <i>Other:</i>	
8615-57-4890	75 Oak St 61 Oak St	<i>Free Methodist Church</i> <i>representative:</i>	
8615-57-5004	320 Howell St	<i>Eason, Benjamin Clark</i> <i>Eason, Anna Kathryn</i> <i>Other:</i>	
8615-57-5620	38 Oak St 40 Oak St 42 Oak St	<i>Evergreen Foundation Inc</i> <i>Representative:</i>	
8615-57-6247	317 Howell St	<i>Bishop, Daniel J</i>	
8615-57-7212	319 Howell St	<i>Other:</i>	
8615-57-6609	60 Oak St	<i>Benson, Samuel K</i> <i>Other:</i>	
8615-57-7131	353 Howell St	<i>Eason, Wesley Gale</i> <i>Other:</i>	
8615-57-8014	365 Howell St	<i>Mcentire, Rodger L</i> <i>Mcentire, Suzanne C</i> <i>Other:</i>	
8615-66-0808	411 Howell St	<i>Harbeson, Gregory Lynn</i> <i>Macbeth, Amy</i> <i>Other:</i>	
8615-66-0860	629 East St	<i>Mehaffey, Betty J</i> <i>Other:</i>	

Preliminary Traffic Calming Plan

Howell Street between East Street and Wall Street is a two-lane, two-way shoulder section that is recorded as approximately sixteen (16) feet wide on the southern end near East Street and recorded as approximately eighteen (18) feet wide at the northern end near Wall Street. There is an asphalt curb along most of the south/west edge of the street and a short segment of sidewalk at the northern/eastern portion near Haywood Nursing and Rehabilitation Center. While predominately residential, there is a neighborhood park on Howell Street and some commercial businesses at the north end. The intersections of East Street and Wall Street on Howell Street are controlled by stop signs on Howell Street. Oak Street, Welch Street, and Hyde Street link to Howell Street with stop-controlled intersections.

Recommended treatment:

Howell Street meets criteria (speed limit) for consideration of traffic calming devices. The 85th percentile observed speeds at this location are more than 15 mph above the posted speed limit. A high proportion of cars were recorded going five-to-ten miles over the posted speed limit, with some outliers traveling double the speed limit.

The recommended traffic calming treatment is installation of speed humps with associated signage to deliberately slow down vehicles along the entire length of the corridor. However, properties on Welch Street and employees at Haywood Nursing and Rehabilitation Center will be minimally affected.

A speed hump is a raised surface on the roadway that is typically three to four inches in height and 12 to 20 feet in length. Speed humps create a gentle rocking motion that encourages motorists to slow down to a safe speed as they traverse the hump at or below the speed limit. Speed humps will support safety for bicyclists, drivers, pedestrians, and residents along Howell Street between East Street and Wall Street, creating a calmer and more hospitable corridor for all users.

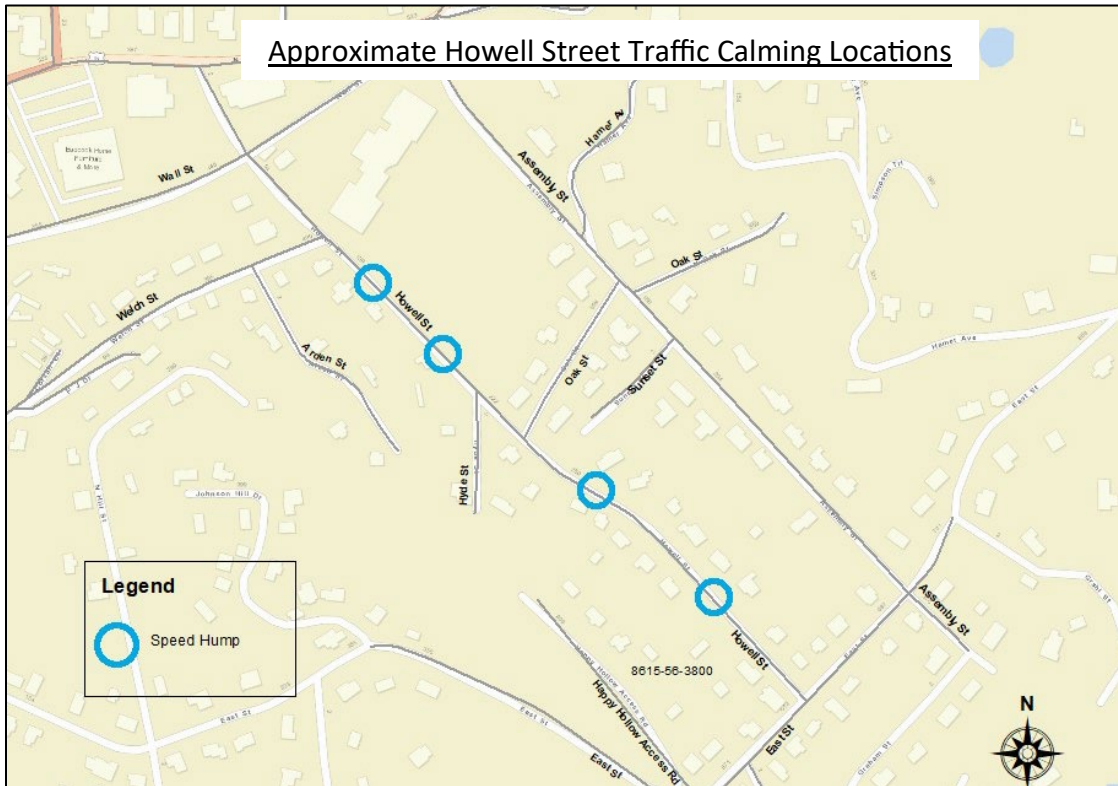
Locations of recommended treatment:

Locations were determined based on roadway geometries, including distance from intersections and existing residential driveways. The recommendation is for a series of speed humps along Howell Street, keeping speeds consistently low along the entire corridor. These placements represent consideration of access, safety, and minimal disruption to residents' access to their driveways. A series of four speed humps will help ensure that vehicles slow down along this entire segment of roadway, creating a series of traffic calming measures that work together to make speeding much harder everywhere on Howell Street.

Standard speed hump spacing is between 250 and 600 feet apart. The spacing for the Howell Street speed humps are approximately 300-400 feet apart, which will help ensure that speeds are consistently reduced along the corridor without much opportunity for speeding in between humps. Speed humps should also not be placed within 150 feet of an unsignalized intersection or 250 feet of a signalized intersection. The proposed speed hump and speed table locations on Howell Street are all at least 150 feet from any intersection.

It is important to locate traffic calming measures in places that will slow vehicles down as they enter Howell Street from all directions (East Street, Wall Street, Oak Street, Welch Street or Hyde Street) while also ensuring that traffic must slow down regardless of the route taken to leave the neighborhood. This makes sure that all roadway users are subject to the traffic calming devices and that speeds are reduced consistently along the corridor.

We are recommending treatment at the following locations along Howell Street:



Preliminary cost estimate:

Total costs for speed humps, including pavement markings, can range from \$2,000 - \$4,000 depending on length (based on road width) and materials. Since Howell Street’s roadway width is (16) to (18) feet wide, the probable cost for each speed hump on Hazel Street is likely \$2,500.

Installation of speed humps will require MUTCD-compliant signage (bi-directional signage and galvanized steel U-channel supports for each sign). Advisory signs that reflect the target speed to traverse the speed humps are also recommended.

These preliminary cost estimates include the cost for installation (materials and pavement markings) but do not include preliminary design costs or traffic control.

Item	Unit Cost (approx.)	# of Units	Cost
Speed Hump	\$2,500	4	\$10,000
Signage (MUTCD)	\$400	12	\$4,800
TOTAL:			\$14,800

Visual depiction of recommended device:



The exact locations of the speed humps have not been determined and this is a conceptual rendering only.



The exact locations of the speed tables have not been determined and this is a conceptual rendering only.

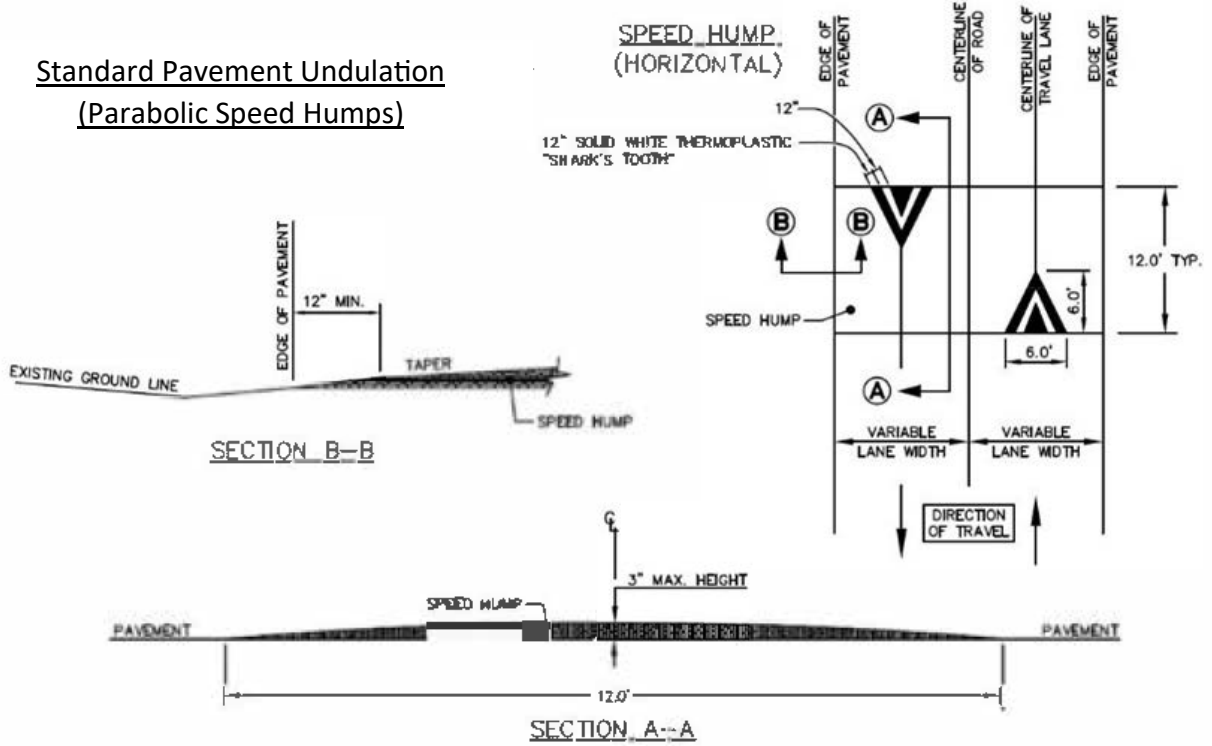


The exact locations of the speed humps have not been determined and this is a conceptual rendering only.

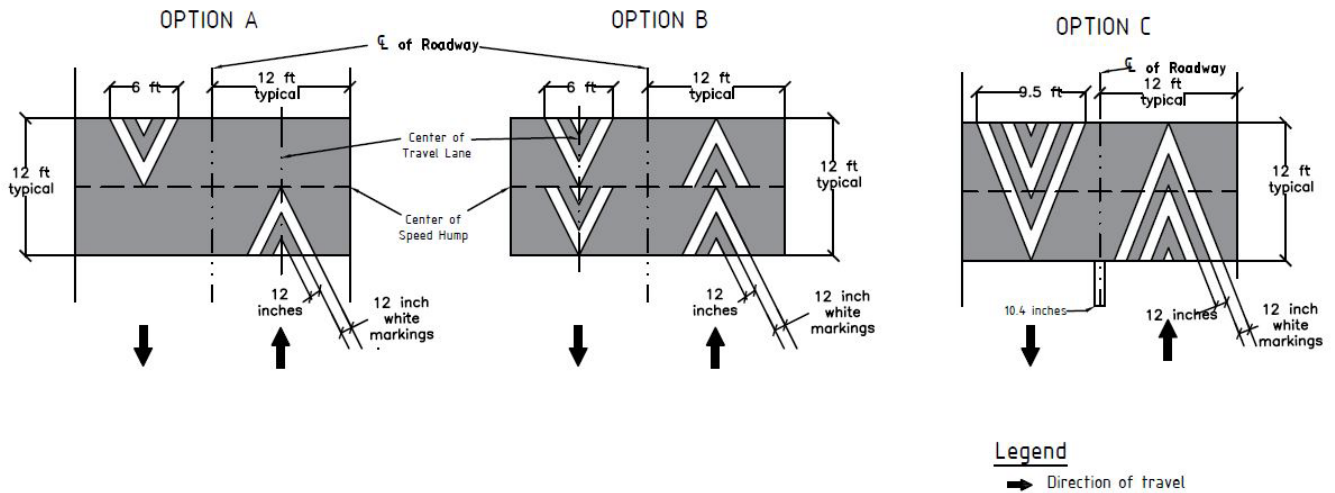


The exact locations of the speed humps have not been determined and this is a conceptual rendering only.

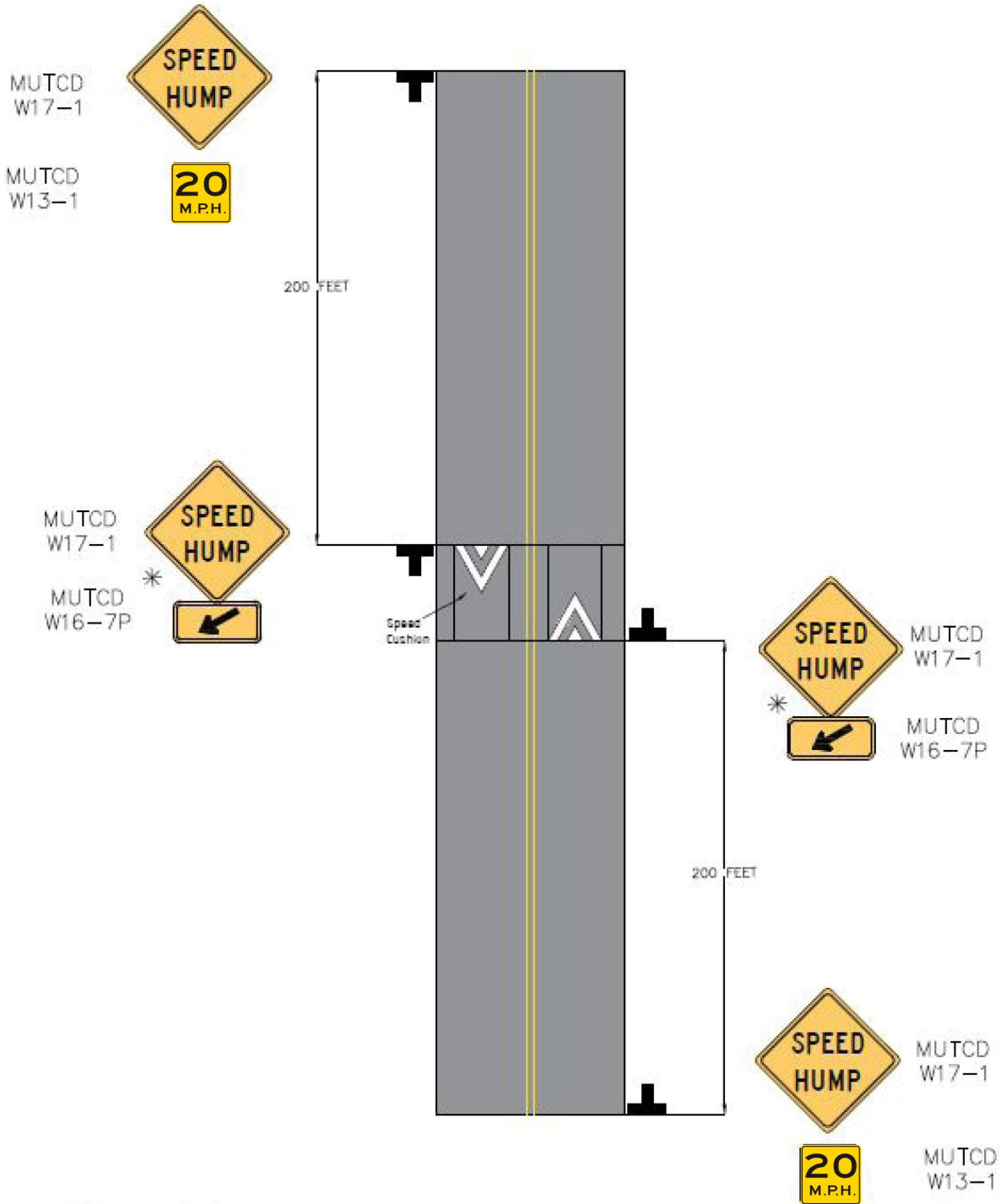
Standard Pavement Undulation
(Parabolic Speed Humps)



Pavement Marking Options (Speed Hump)



Recommended Signage (Speed Humps)



NOTE: Speed advisory signs are only recommended for the first speed hump in the series from each direction on Howell Street. However, MUTCD signs W17-1 and W16-7P are recommended for all speed humps, as they provide visibility at each location.

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date 10/22/2024**

SUBJECT: Approval of Payroll Policy Update.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Human Resources/Administration
Contact: Page McCurry
Presenter: Page McCurry

BRIEF SUMMARY: As we work with FEMA to begin the process of reimbursement for costs associated with Hurricane Helene storm response, we are learning more about the rules for disaster overtime pay reimbursement. It has come to our attention that our Personnel Policy is not sufficient per FEMA for overtime, premium pay, and compensatory time costs.

MOTION FOR CONSIDERATION: Approve the revision of the Town of Waynesville Personnel Policy to include provisions for disaster overtime pay.

FUNDING SOURCE/IMPACT:

ATTACHMENTS:

1. UNC SOG Disaster Overtime Pay Personnel Policy Guidance
2. Time and Attendance Memo: 10.07.2024
3. Guidance from Diane Juffras, UNC SOG: 10.04.2024
4. Requested Disaster Overtime Pay Personnel Policy Provision

MANAGER'S COMMENTS:

Disaster Overtime Pay Reimbursement and Personnel Policy Provisions

FEMA determines the eligibility of overtime, premium pay, and compensatory time costs based on the Applicant's personnel policy, provided that the policy:

- Is in writing and was adopted prior to the disaster event for which the applicant is seeking FEMA reimbursement for overtime compensation.

For example, overtime pay will not be eligible for FEMA reimbursement if a disaster overtime compensation policy is adopted *after* the date of the disaster event.

- Does not include language making overtime compensation subject to or contingent on Federal funding or a Presidential disaster declaration.

For example, language such as *"In the event of a Presidential disaster declaration, overtime compensation shall be awarded"* is not permissible because this makes the award of overtime compensation contingent on receiving a Presidential declaration. In addition, language such as *"Overtime pay will be awarded subject to FEMA reimbursement"* is not permissible because this makes the award of overtime compensation contingent on federal funding.

- Is applied uniformly regardless of a Presidential declaration.

For example, provisions that authorize higher rates of overtime compensation during a Presidential declaration than during a non-Presidentially declared emergency are not permissible.

- Sets non-discretionary criteria for when the Applicant activates various pay types.

For example, language such as *"the Manager may, in his or her discretion, award overtime compensation"* would not be permissible because this makes the award of overtime compensation discretionary.

If these requirements are not met, FEMA limits public assistance funding to the Applicant's non-discretionary, uniformly applied pay rates.¹

Although not a guarantee of FEMA reimbursement, the personnel policy provisions for disaster overtime pay from the Town of Kure Beach's personnel policy offered below provide an example that meets FEMA requirements for disaster overtime compensation personnel policy provisions. Local governments should consult with their human resources director and attorney before adopting any personnel policy changes.

¹ FEMA Public Assistance Program and Policy Guide, April 2018, p. 23.



MEMORANDUM

To: Town of Waynesville Town Manager and Department Heads
From: Page McCurry, Director of Human Resources
Date: October 7, 2024
Subject: Updated Guidance for Time and Attendance Matters for Friday September 27, 2024

All,

We have had some questions answered from the UNC School of Government about time and attendance matters. I wanted to send updated guidance to everyone based on this new information. My apologies for any confusion about time and attendance during this pay period. The updated guidance will be highlighted in yellow.

Eight (8) hours of Administrative Leave will be issued to all full-time staff who are non-exempt from overtime who could not report to work on 09.27.2024 or could not work a full day because of the storm on 09.27.2024. Administrative Leave is a supplement to ensure that full-time hourly staff who could not report to work on 09.27.2024 will achieve 80 hours during the pay period ending 10.02.2024.

Administrative Leave cannot be used to achieve overtime.

All non-exempt employees who reported to work on 09.27.2024 will be paid at a rate of 1.5 times their regular rate of pay.

In general, FEMA does not reimburse government employers for straight-time wages and salaries for exempt employees, **unless the municipality has a written policy adopted before the disaster that provides for overtime or compensatory time for exempt staff in emergency situations and the policy does not make the overtime payment compensation contingent on the availability of federal funds.** The Town of Waynesville does not have any such policy at this time.

All non-exempt staff who worked their regular schedule during the week of 09.26.2024 - 10.02.2024 will be paid at their regular rate of pay.

All non-exempt staff will be paid overtime for hours worked over 40 during the week of 09.26.2024 – 10.02.2024., and any hours worked on **09.27.2024** will be paid at a rate of **1.5** times the regular rate of pay.

Part-time staff who reported to work on 09.27.2024 will be paid straight time for their hours worked.

Part-time staff who could not report to work on 09.27.2024 will not be eligible for Administrative Leave.

All full-time staff who were not scheduled to work on 09.27.2024 due to scheduled vacation or sick leave will now be eligible for Administrative Leave and should this on their timecards.

All exempt employees are legally entitled to be paid the same salary regardless of how many hours they work per FLSA's minimum wage and overtime requirements. Therefore, exempt employees are not eligible for Administrative Leave on 09.27.2024. In general, FEMA does not reimburse government employers for straight-time wages and salaries for exempt employees.

All non-exempt staff who worked overtime due to the storm response between 09.27.2024 and 10.02.2024 should document this well on their timecards for FEMA tracking and reimbursement purposes. Overtime will be paid at the regular rate of time and a half (1.5) for overtime worked due to storm-related duties. FEMA's practice is to only reimburse jurisdictions for FLSA **nonexempt** overtime costs for those performing emergency work, which means either implementing protective measure or removing debris.

FEMA does reimburse both straight-time (exempt) and overtime (non-exempt) wages for employees engaged in the repair of roads and bridges, water control facilities, buildings and equipment, utilities and of parks and rec facilities damaged by the storm. Please keep this in mind going forward as we begin repair work to Town property.

FEMA does not reimburse exempt employees who document hours worked over 40 as compensatory time.

Thank you all for your patience as we work through these trying times and make the best decisions we can for the organization.

Any questions can be directed to me.

Page McCurry
HR Director

Page McCurry

From: Juffras, Diane M <juffras@sog.unc.edu>
Sent: Friday, October 4, 2024 11:53 AM
To: Page McCurry
Cc: Badgett, Rebecca; Charam Miller
Subject: RE: Payroll Guidance Request from the Town of Waynesville (Tropical Storm Helene)

Page,

First of all, let me be clear – I am not a FEMA expert.

But this is what I understand:

In general, FEMA does not reimburse government employers from straight-time wages and salaries. FEMA's practice is to only reimburse jurisdictions for FLSA **nonexempt** overtime costs for those performing emergency work, which means either implementing protective measure or removing debris. So the town would not be entitled to reimburse for overtime earned nonexempt employees who were not engaged in this kind of work – even if they were working 24 hour straight. That being said, I cannot tell you whether FEMA interprets the kinds of activities that constitute “emergency work” strictly or more expansively.

That being said, FEMA does reimburse both straight-time and overtime wages for employees engaged in the repair of roads and bridges, water control facilities, buildings and equipment, utilities and of parks and rec facilities damaged by the storm.

About exempt employees, the general rule is that FEMA does not reimburse for overtime paid to exempt employees. There is one exception and that is where the jurisdiction has a written policy adopted before the disaster that provides for overtime or comp time for exempt employees in emergency situations and does not make the overtime payment compensation contingent on the availability of federal funds.

Diane

Diane M. Juffras

Professor of Public Law and Government
School of Government
UNC-Chapel Hill
919.843.4926



Follow the School of Government: [Facebook](#) | [Twitter](#) | [Instagram](#) | [LinkedIn](#)

E-mails sent to or from this e-mail address that relate to the School of Government's work are public records and may be subject to public access under the North Carolina public records law.

Below is the requested language to add a Disaster Overtime Pay Policy to the Town of Waynesville Personnel Policy:

Disaster Overtime Pay Personnel Policy Provision

Emergency Situations – non-exempt employees

In emergency situations, non-exempt employees will be compensated at their usual overtime rate of time and one half for hours worked in excess of (40) forty hours per week and double time for hours worked on weekends and holidays. Police Officers are paid regular pay for hours worked up to 171 in a 28-day cycle and any hours over 171 are paid at time and one half. Fire Fighters are paid regular pay for hours worked up to 212 in a 28-day cycle and any hours over 212 are paid at time and one half.

Emergency Situations – exempt employees

For exempt employees (including Department Heads) required to work extended hours during an emergency, the Town Council shall compensate for hours worked over and above the regular workweek at their regular hourly rate.

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date 10/22/2024**

SUBJECT: Approval of straight time pay for exempt staff who worked over 40 hours during the response to Hurricane Helene.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Human Resources
Contact: Page McCurry
Presenter: Page McCurry

BRIEF SUMMARY:

The Town of Waynesville experienced unprecedented flooding and emergency operational needs during the week of 09.26.2024 through 10.02.2024 due to Tropical Storm Helene. Many of our employees worked tirelessly to respond to the emergent needs of citizens and fellow employees on these dates. The needs were great, and an “all hands-on deck” approach was required to provide essential services to the community. The result of these greater than usual staffing needs was many exempt staff worked well over the standard 40 hours during the pay period. Many of these individuals worked in dangerous situations to save lives and provide continuity of services to town staff and citizens.

Generally, the Town of Waynesville does not compensate Exempt Staff for hours worked over 40 in a pay period because this is not a Fair Labor Standards Act requirement. However, it is the recommendation of the Human Resources Department, after surveying Department Heads for input, to pay these staff members for hours worked over 40 hours during the week of 09.26.2024 – 10.02.2024 at straight time wages to compensate them for their dedication to the mission and vision of the Town of Waynesville. This recommendation includes hours worked by Department Heads. The financial impact of this request is \$21,483.48.

MOTION FOR CONSIDERATION:

Approve the request to pay exempt staff, including Department Heads, at straight time rates for hours worked over 40 during the week beginning 09.26.2024 and ending 10.02.2024.

FUNDING SOURCE/IMPACT: All Funds

ATTACHMENTS:

1. Financial Impact Statement

MANAGER’S COMMENTS:

Department	Hrs OT:	Total:
Public Works	37	\$1,224.61
Public Works	34.5	\$1,624.74
Sewer/Maint.	43.5	\$1,395.75
Garage	18	\$697.50
Electric	12	\$490.97
Treatment Plant	29.5	\$992.79
Sanitation	47.5	\$1,425.36
		\$7,851.70
FD	60	\$1,565.44
	60	\$1,900.93
	60	\$2,615.32
		\$6,081.68
PD	33	\$1,339.12
	40	\$1,990.16
	32.5	\$1,196.22
	23.5	\$864.96
		\$5,390.46
Development Services	7	\$215.13
Finance	8	\$197.12
Admin	39	1575.99
	7	171.4048
		1747.3948
	592	\$21,483.48

REQUEST FOR COUNCIL ACTION
Meeting Date 10/22/2024

SUBJECT: Re-Allocation of ARPA funds.

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Administration
Contact: Rob Hites
Presenter: Rob Hites

BRIEF SUMMARY: ARPA funds must be allocated by December 31,2024. As we close out the fund, we have discovered several areas where the Town didn't spend the entire budgeted amount. In other areas, we were able to leverage other grants to cover the cost of the line item. We find that the Town has \$205,000 in unexpended ARPA funds. We recommend that the Council appropriate \$42,254 to purchase a single Police vehicle to equip one of the COPS positions the Town was recently awarded through Federal grants. The Town must upgrade its computer system through the purchase of new "switches". The cost of the switches and their installation is quoted to be \$145,000. This will reduce the upcoming capital budget $\frac{3}{4}$ cent on the tax rate.

MOTION FOR CONSIDERATION: Approve the allocation of ARPA funds.

FUNDING SOURCE/IMPACT: ARPA

ATTACHMENTS: ARPA Funding Spreadsheet.

MANAGER'S COMMENTS: The ARPA funds are recommended to reduce the pressure on the General Fund Balance. The Police vehicles are necessary to equip the "COPS" officers and the switches will be necessary to replace aging IT equipment.

Ordinance No. O-49-24

Amendment No. 11 to the 2024-2025 Budget Ordinance

WHEREAS, the 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:

ARPA Funds	\$199,254
------------	-----------

Purchase the following Assets:

Police Vehicle (COPS Grant Hire)	\$54,254
----------------------------------	----------

IT Infrastructure	\$145,000
-------------------	-----------

Adopted this 22nd day of October 2024.

Town of Waynesville

Gary Caldwell
Mayor

Attest:

Candace Poolton
Town Clerk

Approved As To Form:

Martha Sharpe Bradley
Town Attorney