

Town of Waynesville, NC

Town Council Regular Meeting

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

Date: September 12th, 2023 Time: 6:00 p.m.

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

2.
 - a. August 8th, 2023 Regular Scheduled Meeting Minutes
 - b. Appointment of Dave Barone to the Downtown Waynesville Commission
 - c. Appointment of Travis Tallent to the Zoning Board of Adjustment as an alternate
 - d. Budget Amendment for 2023-2024 Assistance to Firefighters Grant Award
 - e. Purchase of garbage truck with the side loading body from ARP funding
 - f. Walnut Street Historic District Electric Installation
 - g. Consideration of adoption of ARPA grant resolution of acceptance and grant ordinance and budget ordinance
 - h. Selection of the engineering firm for Comprehensive Stormwater Master Plan and grant administration services

Motion: To approve the consent agenda as presented.

E. PROCLAMATIONS

3. First Baptist Church Bicentennial Proclamation

- Mayor Gary Caldwell

4. Constitution Week

- Mayor Gary Caldwell

E. PRESENTATIONS

5. Promotion of Paige Shell to Sergeant

- Police Chief David Adams

6. Wastewater Treatment Plant- Update #2

- Rob Hites, Town Manager

F. PUBLIC HEARINGS

7. Public Hearing to consider the text amendment to add an “Event Space” as a stand-alone use in the Land Development Standards (LDS).

- Olga Grooman, Land Use Administrator

Motions:

1. ***Motion to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.***
2. ***Motion to adopt the Ordinance as presented (or as amended).***

8. Public Hearing to consider the text amendment to update the definition of “Freight Hauling/Truck Terminals” in section 17.3 of the Land Development Standards (LDS).

- Olga Grooman, Land Use Administrator

Motions:

1. ***Motion to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.***
2. ***Motion to adopt the Ordinance as presented (or as amended).***

9. Public Hearing to consider a text amendment to establish a Railroad Overlay District (RR-O) and its uses, sections 2.5.3 and 2.6 of the Land Development Standards.

- Olga Grooman, Land Use Administrator

Motions:

1. ***Motion to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.***

2. ***Motion to adopt the Ordinance as presented (or as amended).***

G. NEW BUSINESS

10. Resolutions pertaining to the Town's \$1,009,543 Community Development Block Grant (CDBG)
 - Karen Kiehna, McGill and Associates

Motion: Approve each resolution by separate motion.

11. Appointment of Environmental Sustainability Commission
 - Councilmember Chuck Dickson

Motion: Approve the membership of the Sustainability Commission.

12. Interview Logistics for Waynesville Housing Authority applicant
 - Jesse Fowler, Assistant Town Manager

H. COMMUNICATION FROM STAFF

13. Manager's Report
 - Town Manager, Rob Hites

14. Town Attorney Report
 - Town Attorney, Martha Bradley

I. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

J. ADJOURN



TOWN OF WAYNESVILLE

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CALENDAR September 2023

2023	
Saturday, September 23 rd	Power of Pink 5K-Frog Level 9-11am
Saturday, September 23 rd	Sarges 18 th Annual Dog Walk 9am-1pm Main Street
Sunday, September 24 th	Waynesville Public Art Commission Annual Dog Show 5:30-7:30pm
Tuesday September 26 TH	Town Council Meeting – Regular Session
Friday, October 6 th	Art After Dark gallery stroll 5:30-8:30pm
Tuesday October 10 TH	Town Council Meeting – Regular Session
Saturday October 14 th	Church Street Art and Craft Show 40 th Anniversary
Saturday, October 21 st	Apple Harvest Festival-Main Street 10am-5pm
Tuesday October 24 TH	Town Council Meeting – Regular Session
Tuesday October 31 st	Treats on the Street
Friday, November 3 rd	Art After Dark gallery stroll 5:30-8:30pm
Friday November 10 th	Town Offices Closed- Veterans Day
Tuesday November 14 TH	Town Council Meeting – Regular Session
Tuesday November 28 TH	Town Council Meeting – Regular Session
Friday, December 1 st	Art After Dark gallery stroll 5:30-8:30pm and Christmas Tree Lighting
Monday, December 4 th	Christmas Parade
Saturday, December 9 th	Night Before Christmas
Tuesday December 12 TH	Town Council Meeting – Regular Session
December 22 nd , 26 th	Town Closed – Christmas Holidays

Board and Commission Meetings – September 2023

ABC Board	ABC Office – 52 Dayco Drive	September 19 3 rd Tuesday 10:00 AM
Board of Adjustment	Town Hall – 9 S. Main Street	September 5th 1 st Tuesday 5:30 PM
Cemetery Commission	Public Services Building	January, March-CANCELLED, July, and October 3 rd Tuesday 2:00 PM
Downtown Waynesville Commission	Municipal Building – 16 South Main Street	September 19 3 rd Tuesday 8:30 AM
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	September 6th 1 st Wednesday 2:00 PM
Planning Board	Town Hall – 9 S. Main Street	September 18th 3 rd Mondays 5:30 PM
Public Art Commission	Town Hall – 9 S. Main Street	September 14th 2 nd Thursdays 4:00 PM
Recreation & Parks Advisory Commission	Rec Center Office – 550 Vance Street	September 18th 3 rd Monday 5:30 PM
Waynesville Housing Authority	Main Office-48 Chestnut Park Drive	September 20th 3 rd Wednesday 9:00 AM

MINUTES OF THE TOWN OF WAYNESVILLE TOWN COUNCIL
Regular Meeting
August 8, 2023

THE WAYNESVILLE TOWN COUNCIL held a regular meeting on Tuesday, August 8, 2023, at 6:00 pm. in the Town Hall Board Room located at 9 South Main Street Waynesville, NC.

A. CALL TO ORDER

Mayor Gary Caldwell called the meeting to order at 6:01 pm with the following members present:

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

The following staff members were present:

Rob Hites, Town Manager
Jesse Fowler, Assistant Town Manager
Martha Bradley, Town Attorney
Candace Poolton, Town Clerk
Police Chief, David Adams
Assistant Police Chief Brandon Gilmore
Misty Hagood, Finance Director
Luke Kinsland, Recreation Director
Olga Grooman, Land Use Administrator
Chris Mehaffey, Assistant Fire Chief

Members of the media:

Payton Renegar, The Mountaineer
Becky Johnson, The Mountaineer

1. Welcome/Calendar/Announcements

Mayor Gary Caldwell welcomed everyone and announced that the Hazelwood Hot Summer Nights is Saturday, August 12th, and the next Town Council meeting is Tuesday, August 22nd.

Councilmember Feichter announced that the Downtown Waynesville Association has been waiting on approval from the NCDOT on the design for the historical arch that will soon span across Main Street. He said that the DWA is fundraising for the arch, and then will gift the arch to the Town of Waynesville before dissolving. He emphasized that the arch will not be fundraised using taxpayer money and that it will be privately funded. He said there will be a groundbreaking for the project on August 26th at 5:30pm in front of

Town Hall. He said for information and to donate, visit waynesvillearch.org. He also mentioned that Theresa Pennington has hand-drawn a mockup of what the arch will look like, and people can buy prints as donations.

A motion was made by Councilmember Sutton, seconded by Councilmember Feichter, to move item 19 (Public Comment Policy) before Public Comment begins. The motion passed unanimously.

2. Public Comment Policy

- Town Attorney Martha Bradley

Town Attorney Martha Bradley reported that the Councilmembers asked her to look into the Town's current public comment policy, specifically that it currently requires speakers say their names and full addresses, and offer some recommendations to revise it. She presented the following options to the Councilmembers:

- A written request shall not be fully completed unless the individual provides their name and the general topic of their remarks. And;
- Upon being called to the podium by the Mayor, individuals providing comment during the public comment period shall state their name and whether their permanent residence lies within: the corporate limits of the Town, the Town's extraterritorial jurisdiction, Haywood County, or outside of Haywood County.

Or

- A written request shall not be fully completed unless the individual provides their name, whether they are eligible to register to vote in Town of Waynesville municipal elections, and the general topic of their remarks. And;
- Upon being called to the podium by the Mayor, individuals providing comment during the public comment period shall state: their name and whether their permanent residence lies within: the corporate limits of the Town, the Town's extraterritorial jurisdiction, Haywood County, or outside of Haywood County.

Or

- Notwithstanding the requirements set forth in paragraphs 37(b)(4) and 37(b)(5), any individual may decline to provide the Clerk with their residential address and telephone number out of concern for their privacy or personal safety by marking the written request card accordingly and advising the Board of the same from the podium. And;
- Upon being called to the podium by the Mayor, individuals providing comment during the public comment period shall state: their name; and whether their permanent residence lies within: the corporate limits of the Town; the Town's extraterritorial jurisdiction, Haywood County, or outside of Haywood County.

Councilmember Sutton said that the Town of Waynesville is the only municipality that requires public speakers to give their full address.

Councilmember Dickson said that while Council is interested in all public comment, they are especially interested in the people that live in the corporate limits of town.

Councilmember Freeman agreed with Councilmember Feichter agreed with Councilmember Dickson and Sutton.

Councilmember Sutton suggested that public commenters say if they are eligible to vote in the Town of Waynesville. Councilmember Feichter said that voting is a personal activity, and he said it may a little bit of an intrusion. Councilmember Sutton said he recommended then, to require public commenters to state whether they live in the corporate limits of Waynesville.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to eliminate the requirement of the public writing their address and phone number on the public comment cards. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to uphold that upon being called to the podium by the Mayor, individuals providing comment during the public comment period shall state their name and whether their permanent residence lies within the corporate limits of the Town. The motion passed unanimously.

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson, to make the revisions to the public comment policy that were just stated in the preceding motions, effective immediately. The motion passed unanimously.

B. PUBLIC COMMENT

Nan Williamson said that she does not live in the Town limits and was prepared to speak today, but had nothing to add.

Edith Pressley said that she does live within the Town limits. She said that she was billed twice in one month for her water service, which didn't seem right. Manager Rob Hites said he will give Edith a call and work it out with the finance director.

Tera McIntosh said she does not live in Town limits. Dr. McIntosh said some members of the community hate when people of her community speak up. She said that drivers of social change of have to endure violence. She suggested that the Town hires someone outside of the Town who can help with DEI initiatives.

Thomas Dillan said he lives outside of Town limits. He said that things have been refreshingly civil and added that the trans individual was outed as an easy target.

Max Rigenbach said he lives outside the Town limits. He said he considered moving to Waynesville, but chose Asheville because it felt safer but added that he's fallen in love with this Town. He said trans people are real and people have nothing to be afraid of.

Janet Clark said she lives within Town limits. She thanked Councilmember Sutton for securing money for the sewer system. She mentioned the construction on the corner of Park and Belleview and requested a storm

drain to be placed. She said with the land clearing, there has been an altered path of water. She said the residents of Waynesville shouldn't have to pay for preservation of natural landscape. She requested a naturally landscaped berm around the corner of that property.

Bob Clark said he lives in Town limits and that many of neighborhood streets are unsafe given how the Town is growing. He said there are not enough sidewalks, and not enough room for sidewalks. He said East Street should have a crosswalk.

Dave McHenry said he lives in town limits and lives in an area with lots of traffic and it has gotten worse. He requested additional traffic calming measures.

C. ADDITIONS OR DELETIONS TO THE AGENDA

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman to move item number nine (Report from Cemetery Committee regarding request for double burial) to replace item number three (ABC Board Annual Report). 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. June 25th, 2023 Regular Scheduled Meeting Minutes
- b. Revised meeting procedure to reflect change from Aldermen to Council and Councilmember

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

3. Report from Cemetery Committee regarding request for double burial.
 - Wells Greeley

Mr. Greeley said that Captain Fred Hall's remains had recently been found in Vietnam. He said the Department of Defense have identified the remains of a Waynesville veteran killed in action in Viet Nam. Many years ago, he was pronounced "dead" and a burial was conducted using an empty coffin. The coffin was laid to rest in the Veteran's Section of the Green Hill Cemetery. The DOD plans to hold a funeral with all military honors to properly inter the soldier's remains. It is the request of the surviving widow that the soldier be buried in her family's plot in a "double burial". This involves the interment of one individual deep enough for a second individual to be interred above the first. For safety concerns surrounding the depth of a double burial the Town does not permit such burials. Due to the unique circumstances surrounding the discovery of the soldier's remains the family requests that the Town waive its prohibition on double burials to permit the interment of

the soldier below the future resting place of his wife. The Council referred the request to the Cemetery Committee which will hold a meeting regarding the request on the 3rd of August.

A motion was made by Councilmember Sutton, seconded by Councilmember Feichter to consider the recommendation of the Cemetery Committee, and concur with their recommendation, and also waive any and all Town fees associated with the burial. The motion passed unanimously.

E. PRESENTATIONS

4. Waynesville Housing Authority Annual Report

- Belinda Kahl, WHA Interim Director

The Interim Director of the Waynesville Housing Authority, Belinda Kahl reported that they will be doing a Back to School fundraiser soon, as well as Halloween and Christmas parties to support the children in the community. She said that volunteers are helping with the elderly development program. She added that everyone that WHA houses are very low income, elderly and/or disabled. Ms. Kahl presented the financial overview for 2023.

Chairman Brian Cagle reported that WHA provides 162 units which translates to housing for people who don't have anywhere else to go.

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman to move item number 15 (Request by Waynesville Housing Authority to reduce their membership from nine to seven members) to be next on the agenda. The motion passed unanimously.

5. Request by Waynesville Housing Authority to reduce their membership from nine to seven members.

- Brian Cagle, WHA Chair

WHA Chairman Brian Cagle reported that the Housing Authority has been working with a nine-member commission since the Council increased their membership in 2019. He said the size of the Board makes it difficult to find quality members who understand the complexity of Housing Authorities. He said that WHA are requesting that the Town Council reduce the membership of the Commission to seven members. As per GS 157-5(c) , "The Council may, at any time, by resolution or ordinance, increase or decrease the membership of an Authority, within the limitation herein prescribed".

A motion was made by Councilmember Dickson, seconded by Councilmember Freeman, to approve a resolution reducing the size of the Waynesville Housing Authority 9 to 7.

F. CALL FOR PUBLIC HEARINGS

6. Call for a Public Hearing for September 12, 2023 to consider the text amendment to add an "Event Space" as a stand-alone use in the Land Development Standards (LDS).

- Olga Grooman, Land Use Administrator

Land Use Administrator, Olga Grooman, reported that Pursuant to the 2035 Comp Plan recommendations, the Planning Board assigned an ad hoc committee to study the land use challenges and opportunities along the Waynesville railroad corridor. In discussions related to economic development along the railroad, Ms. Grooman said the subcommittee identified a gap in our zoning ordinances. She said that an “event space” is not defined as a stand-alone use. Additionally, Ms. Grooman said the Development Services Department received inquiries about converting properties into wedding venues and event spaces as a primary use, and there was no guidance in the Land Development Standards for managing their potential impacts.

She said that this text amendment comes out of the Railroad Subcommittee and proposes a definition of an “event space” with supplemental standards (parking, noise, trash, buffer against residential areas). The Planning Board recommended allowing “event spaces” as a Special Use Permit, and proposed to allow them only in the Railroad Overlay District. She explained that this would limit potential impacts on surrounding areas and give the planning board an opportunity to carefully review each application through a quasi-judicial proceeding. In the future however, she said that property owners could request to add “event spaces” in other districts in the Table of Permitted Uses (LDS 2.5.3) via text amendment procedure that would require approval by the Town Council.

Ms. Grooman reported that Staff presented the text amendment to the Planning Board and received the feedback on June 19, 2023. On July 17, 2023, she said the Board held a public hearing and voted unanimously to recommend the text amendment to the Town Council.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to call for a Public Hearing on September 12, 2023, to consider the text amendment to add an “Event Space” as a stand-alone use in the LDS, with supplemental standards as recommended by the Planning Board. The motion passed unanimously.

7. Call for a Public Hearing for September 12, 2023 to consider the text amendment to update the definition of “Freight Hauling/Truck Terminals” in section 17.3 of the Land Development Standards (LDS).
 - Olga Grooman, Land Use Administrator

Land Use Administrator Olga Grooman reported that the current definition of the “Freight Hauling/Truck Terminals” in the LDS is the same as the definition of “Funeral Homes,” which appears to be a copy and paste error from many years ago. However, she said the footnote for the definition has a valid reference to the Land Based Classification Standards (LBCS), a guidance document by the American Planning Association that classifies and defines various land uses. She said that staff wishes to correct the mistake and replace the wrong definition with the intended one from the LBCS.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to call for a Public Hearing on September 12, 2023, to consider the text amendment to update the definition of “Freight Hauling/Truck Terminals” in the LDS, as recommended by the Planning Board. The motion passed unanimously.

8. Call for a Public Hearing for September 12, 2023 to consider a text amendment to establish a Railroad Overlay District (RR-O) and its uses, sections 2.5.3 and 2.6 of the Land Development Standards.
 - Olga Grooman, Land Use Administrator

Land Use Administrator Olga Grooman reported that underutilized rail corridors present opportunities for economic development. She said that zoning can encourage the reuse of existing buildings, introduce more allowed uses and flexibility. She said that railway corridors can be the areas where commercial, cultural, and residential areas safely coexist and promote economic and social vibrancy.

Pursuant to the 2035 Comp Plan recommendations, she said the Planning Board assigned an ad hoc committee to study the land use challenges and opportunities along the Waynesville railroad corridor. The group consisted of local business owners, community representatives, Planning Board members, and Development Services staff. Additionally, she said that staff had discussions with the leadership team of the Blue Ridge Southern Railroad. Ms. Grooman said that five months of the subcommittee's work included research, study, and discussions about potential uses along the corridor, economic opportunities, and gateways to the Town.

She reported that staff presented the subcommittee's work to the Planning Board and received additional feedback on June 19, 2023. On July 17, 2023, she said the Board unanimously recommended the text amendment to the Council:

- Add a narrative in LDS Section 2.6 describing the district's purpose and allowed uses.
- Add a notation about the new overlay district in the Table of Permitted Uses (LDS 2.5.3).

Once established, Ms. Grooman said the overlay could be applied through a rezoning/map amendment process to areas along the railroad corridor. She added that staff will come back to the Council with the map amendment to apply this district to proposed areas in Frog Level and Hazelwood, as recommended by the Subcommittee and Planning Board.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to call for a Public Hearing on September 12, 2023, to establish a Railroad Overlay District (RR-O) and its uses in the LDS, as a text amendment recommended by the Planning Board. The motion passed unanimously.

G. PUBLIC HEARINGS

9. Public Hearing to consider a revised Community Development Block Grant (CDBG) application for utility infrastructure improvements in South Waynesville.
 - Karen Kiehna, McGill and Associates

A motion was made by Councilmember Sutton, seconded by Councilmember Dickson to open the public hearing to consider a revised Community Development Block Grant (CDBG) application for utility infrastructure improvements in South Waynesville at 7:03pm. The motion passed unanimously.

Karen Kiehna reported that McGill and Associates assisted the Town in submitting a revised application that would fund water and sewer infrastructure improvements in the Hazelwood areas of Waynesville. She said the purpose of this public hearing is to get community input and comment on the project and to answer any questions from the Town Council and public. The Council must approve the application at their September 12th, 2023 meeting, and approve the minutes from this hearing to accompany the revised application.

Ms. Kiehna read verbatim the Public Hearing Meeting Script verbatim:

“This public hearing on August 8, 2023, will provide an explanation and description of the 2023 North Carolina Department of Environmental Quality (DEQ) Community Development Block – Infrastructure Grant (CDBG-I). We are present to discuss the purpose of the public hearing for the Town’s CDBG-I funding application. The purpose of the public hearing is to obtain citizen’s views and to allow response from the public to the funding proposals and answer any questions posed by citizens.

This public hearing will cover the Town’s community development needs, development of the proposed activities, and a review of program compliance before the submission of the Town’s Community Development Block Grant Applications

The Town proposes to request funding from NCDEQ’S CDBG-I program for the South Waynesville Public Water System Improvements and the Phase II Sanitary Sewer System Improvements. The proposed project will meet the following community and housing needs of the Town of Waynesville Sanitary Sewer System by replacing deteriorated sewer lines and appurtenances for purposes of eliminating infiltration and inflow and extend sanitary sewer lines including residential connections within the project area of Franklin Street, Hendrix Street, and Muse Street. The Public Water System Improvements proposed improvements will include the replacement of deteriorated water lines, and extension of public water lines including hydrants, and residential taps in the project area of Sawyer Street and Explorer Street.

The purpose of the CDBG-I grant program is to improve the quality of life for low to moderate income people by providing a safe, clean environment and clean drinking water through water and sewer infrastructure improvements and extensions of service.

- To benefit a residential area where at least 51% of the beneficiaries are low to moderate income as defined by the United States Department of Housing and Urban Development.
- To perform eligible activities.
- To minimize displacement, and
- Provide displacement assistance as necessary.

For the fiscal year of 2023 the CDBG-I funding available is expected to be about \$25,000,000. The maximum available grant is \$3.0 million over a 3-year period. Applications for funding will be received by 5:00 pm, October 2, 2023.

The CDBG program is able to fund a wide variety of community development activities. The State of North Carolina has chosen to fund several activities: water and sewer infrastructure, neighborhood revitalization, COVID-19 related projects, and economic development projects that lead to job creation or retention.

The infrastructure program, or CDBG-I program can fund a range of water and sewer infrastructure activities, including, but not limited to the, following:

Water:

- Projects that resolve water loss in distribution systems.
- Projects that extend public water to areas with contaminated wells.
- Projects that extend water lines to areas with dry wells.
- Projects that assist with low water pressure in public water systems.

- Projects that regionalize two or more water systems.
- Project that rehabilitate or replace a water treatment plant.

Wastewater:

- Projects that resolve inflow and infiltration to collection systems and surcharges from pumps stations and manholes.
- Projects that extent public sewer to areas with failed septic tanks.
- Projects that rehabilitate a wastewater treatment plant to allow for greater efficiency/compliance with regulations.

The Town of Waynesville is seeking an amount in CDBG-I funds not to exceed Two Million Dollars (\$2,000,000.) for the South Waynesville Phase II Sanitary Sewer System Improvements and Public Water System Improvements Project. The purpose of the Town's requests will replace deteriorated sewer lines and appurtenances for purposes of eliminating infiltration and inflow and extend sanitary sewer lines including residential connections in the project area of Franklin Street, Hendrix Street, and Muse Street. The public water lines activities will include replacement of deteriorated water liens and the extension of public water lines including the installation of hydrants, and residential taps in the project area of Explorer Street, and Sawyer Street if time and budget allows.

The project proposed by the Town of Waynesville was identified in Capital Improvement Plan/Asset Management Plan) updated 2023. Informal community meetings were held in the project area to inform citizens of the potential project and get feedback from the residents.

A total of 100% of the CDBG- I funding will be used to benefit Low to Moderate Income (LMI) people. The proposed Public Water System Improvement project will provide benefits to an estimated 60 persons of which, 74.59 percent of whom are low- and moderate-income individuals, within the project area of Explorer Street, and Sawyer Street. The proposed Phase II Sanitary Sewer System Improvement project will provide benefits to an estimated 86 persons of which 56.98 percent of whom are low- and moderate-income individuals with the project area being Franklin Street, Hendrix Street, and Muse Street.

The range of activities covered by the CDBG-I funds for the South Waynesville Sanitary Sewer System Improvements and Public Water System Improvements Project.

- Construction.
- Environmental Review
- Engineering Design
- Construction Administration and observation.
- Legal activities.
- Surveying.
- Grant Administration.

If Town is awarded a CDBG-I grant, the town is required to adhere to federal procurement requirements and other federal regulations which include:

- American with Disabilities Act/Section 504 Survey
- Davis-Bacon & Related Labor Acts
- Adoption/Submittal of a Citizen's Participation Plan
- Adoption/Submittal of an Equal Opportunity Plan
- Adoption/Submittal of a Fair Housing Plan
- Adoption/Submittal of a Language Access Plan
- Adoption/Submittal of a Relocation Assistance Plan

- Adoption/Submittal of a Section 3 Plan
- Excess Force Provision

The State of North Carolina requires that if the Town of Waynesville receives CDBG grant funding that the town will certify that they will comply with the requirements of the general displacement and relocation policy for CDBG grant funding. This policy assists low to moderate income people with costs associated with relocation or displacement, should such relocation become necessary due to the project activities. CDBG funds can be used for those costs, if necessary. Being a water and sewer improvement project, it is very unlikely that any household would be displaced.

In the past, the Town has applied for and received for the following completed CDBG project:

- List Name of Projects and Outcomes/Outputs of the projects with output and outcomes:
 - Based on recent research Waynesville has been awarded the recent Sanitary Sewer Improvement Project in July 2023.

The Town of Waynesville will submit its CDBG-I application for the South Waynesville Phase II Sanitary Sewer System Improvements Project on October 2, 2023. The CDBG-I application will be available for review during normal business hours at 9 S. Main Street, Waynesville, North Carolina 28786 after October 2, 2023.

Additional information is available from Elizabeth Teague, Development Services Director, at 828-456-2004, or at the 9 S. Main Street, Waynesville, NC 28786.

Should you have any complaints or grievances regarding the subject public hearing, they should be addressed to the addressee mentioned above within fifteen (15) business days or by August 24, 2023, and a written response to the written complaints and/or grievances will be sent by the Town of Waynesville within fifteen (15) business days, where practicable.

Mayor, I turn the floor back to you and am happy to respond to any comments or question about the CDBG program, and about the proposed project.”

A motion was made by Councilmember Dickson, seconded by Councilmember Freeman, to close the public hearing at 7:19pm. The motion passed unanimously.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton, to direct McGill and Associates to move forward with finalization of the application. The motion passed unanimously.

Ms. Kiehna reviewed the timeline for the award and what will be done once the grant is awarded.

H. NEW BUSINESS

10. Memorandum of Understanding-School Resource Officers

- Rob Hites, Town Manager

Town Manager Rob Hites reported that he and Chief Adams have been working on a Memorandum of Understanding to place a County funded School Resource Officer at Hazelwood Elementary. He said that the Board of County Commissioners increased their tax rate to fund SROs for every school in the County and that the Sheriff and County staff recommend that the new positions be filled by municipal employees when the schools are located within town limits. He said the agreement would fund eleven months’ salary, benefits and

equipment for an SRO assigned to Hazelwood Elementary. Mr. Hites added that the SRO would serve under the supervision of the Police Department and be subject to the Town's standard operating procedures, pay and benefits the program. Mr. Hites said the Town will request the County Manager to compensate the Town for equipment, fuel, and auto repair.

A motion was made by Councilmember Freeman, seconded by Councilmember Dickson seconded to approve the Memorandum of Understanding

11. Street Name for remainder of Vance Street

- Assistant Fire Chief Chris Mehaffey

Assistant Fire Chief Chris Mehaffey reported that the Construction of the Roundabout at Vance/Walnut/Main Street re-routed Vance Street to the roundabout stranding three dwellings in a segment that was previously Vance Street. He said the old section of Vance Street needed to be named for EMS/Location purposes. AC Mehaffey said that a longtime restaurant and gathering place, Charlie's Drive-In dates back to the 1930's and the Drive-In was a popular place for Waynesville residents with curbside dining and teens cruising the parking lot. It was suggested to name the short street "Charlie's Place" to commemorate the memory of a historical gathering place. He added that there is not another street named Charlie's in Haywood County and should not interfere with the current Charles Street in Waynesville.

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman to approve naming the 350 ft. segment "Charlie's Place". The motion passed unanimously.

12. WTP Tank Painting

- Ricky Foster, Assistant Director of Public Services

Assistant Director of Public Services Ricky Foster reported that there are two tanks included in this project, the contact chamber and backwash tanks that were originally built in 2004 as part of the plant expansion. Mr. Foster said this project will be a routine maintenance project that will address spalling, crazing, repainting, ventilation screens on both tanks. He added that this project will extend the life of the tanks by twenty plus years.

A motion was made by Councilmember Sutton, seconded by Councilmember Feichter, to award the WTP Tank rehab project to Carolina Management Team in the amount of \$82,707.00 from ARP funding. The motion passed unanimously.

13. Change Recreation Advisory Committee monthly meeting day to Mondays at 5:30pm

- Luke Kinsland, Recreation Director

Recreation Director Luke Kinsland reported that the Recreation Advisory Committee unanimously voted in June to change the monthly meeting day from Wednesdays at 5:30pm to Mondays at 5:30pm.

A motion was made by Councilmember Sutton, seconded by Councilmember Freeman, to change the monthly meeting day to Mondays at 5:30pm for the Recreation Advisory Committee. The motion passed unanimously.

Councilmember Feichter thanked Mr. Kinsland for doing an exceptional job and asked for an update on staffing. Mr. Kinsland said all lifeguard positions are filled, but with the start of the school year, staff is changing. Councilmember Feichter asked Mr. Kinsland to look at correcting the standing water issue outside of the dog park. Mr. Kinsland reported that the Rec Center numbers are skyrocketing which means hopefully they will be able expand staff and operating hours.

14. Request of Cemetery Committee to reduce their membership from seven to five members.

- Rob Hites, Town Manager

Town Manager Rob Hites reported that the Cemetery Committee has been having problems recruiting members and obtaining a quorum at meetings. He said they believe that they can work most efficiently with a core group of five members. During their July 18 meeting, Mr. Hites said they moved to request the Council to reduce their membership from seven to five.

A motion was made by Councilmember Freeman, seconded by Councilmember Dickson to approve the request of the Cemetery Committee to reduce their membership from seven to five members. The motion passed unanimously.

15. No Parking Designation on Wall Street

- Jesse Fowler, Assistant Town Manager

Assistant Town Manager Jesse Fowler reported that Town staff has received a request to designate a section of Wall Street as a no parking zone. He said the no parking designation is requested from the intersection of East Street and Wall Street, approximately 75 feet down the South bound lane of Wall Street. He said the purpose of this request is to prevent vehicular traffic from parking along the rear of the residences that occupy the 2nd story of the business that have an entrance along Wall Street. On several occasion, he said the individuals who live in these residences have been prevented from leaving as a result of commercial traffic parking behind these buildings in order to deliver supplies onto Main Street.

A motion was made by Councilmember Dickson, seconded by Councilmember Sutton , to designate as a no-parking zone the section of public street located from the intersection of Wall Street and East Street to approximately 75 feet down the South bound lane of Wall Street. The motion passed unanimously.

16. Appointment to the Waynesville Recreation Advisory Commission

- Candace Poolton, Town Clerk

Town Clerk Candace Poolton reported that currently, the Recreation Advisory Commission has three vacancies. She said that if applicant Matt Diskin is appointed, RAC will only have two vacancies.

A motion was made by Councilmember Chuck Dickson, seconded by Councilmember Freeman to appoint Matt Diskin to the Waynesville Recreation Advisory Commission

17. Interview Logistics for Zoning Board of Adjustment applicant
- Candace Poolton, Town Clerk

Town Clerk Candace Poolton reported that the Town of Waynesville's Zoning Board of Adjustment has two vacancies, both of which are "alternate" positions. She said that Travis Tallent has been the only recent applicant. Per the Boards and Commissions manual, potential ZBA members must be interviewed prior to being appointed. Councilmembers Sutton and Dickson volunteered to interview Mr. Tallent.

I. COMMUNICATION FROM STAFF

18. Manager's Report
- Town Manager, Rob Hites

Town Manager Rob Hites reported that staff have hired Paige McCurry to be the new Human Resources Director.

He said that the groundwork for the new parking lot at Haywood and Church Streets is done. He said lighting and temporary public parking signage will go in shortly.

Mr. Hites said he will be meeting with McGill to sketch out a grant request for the fall, should Waynesville be designated as a distressed community.

Mr. Hites said that there will be construction on Depot Street because the pavement collapsed. He said that AT&T collapsed the water and sewer system many years ago, causing the road to fail now.

19. Town Attorney Report
- Town Attorney, Martha Bradley

Nothing to report.

J. COMMUNICATIONS FROM THE MAYOR AND COUNCIL

Councilmember Dickson requested that staff consider placing more items on the consent agenda. Councilmember Feichter requested that Councilmembers attend the Arch groundbreaking.

K. ADJOURN

A motion was made by Councilmember Freeman, seconded by Councilmember Sutton, to adjourn at 7:56pm. The motion passed unanimously.

ATTEST:

Gary Caldwell, Mayor

Robert W. Hites, Jr. Town Manager

Candace Poolton, Town Clerk

DRAFT

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: September 12, 2023**

SUBJECT: Appointment of Dave Barone to the Downtown Waynesville Commission

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 Downtown Waynesville Commission has three vacancies. If appointed, Mr. Barone's term would end June 30th, 2026. Mr. Barone lives outside of Town limits (at-large). According to the DWC Charter & Rules of Procedure, the DWC has one more space for an "at-large" member.

MOTIONS FOR CONSIDERATION

Motion to appoint Dave Barone to the Downtown Waynesville Commission.

ATTACHMENTS:

None

MANAGER'S COMMENTS AND RECCOMENDATIONS

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: September 12, 2023**

SUBJECT: Appointment of Travis Tallent to the Zoning Board of Adjustment as an alternate

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 Town of Waynesville's Zoning Board of Adjustment has two vacancies, both of which are "alternate" positions. Travis Tallent has been the only recent applicant. Mr. Tallent was interviewed by Councilmembers Dickson and Sutton. Council must now vote whether to appoint Travis Tallent to the ZBA as an alternate. His term would end June 30th, 2023.

MOTIONS FOR CONSIDERATION

Motion to appoint Travis Tallent to the Zoning Board of Adjustment as an alternate.

FUNDING SOURCE/IMPACT

N/A

MANAGER'S COMMENTS AND RECCOMENDATIONS

ATTACHMENTS:

TOWN OF WAYNESVILLE, TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: September 12, 2023

SUBJECT:

Budget Amendment for 2023-2024 Assistance to Firefighters Grant Award

AGENDA INFORMATION:

Agenda Location:

Item Number:

Department: Fire

Contact: Assistant Chief Chris Mehaffey

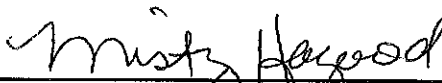
Presenter: Assistant Chief Chris Mehaffey

BRIEF SUMMARY:

Waynesville Fire Department was awarded a FEMA Assistance Firefighters Grant (AFG) in the amount of \$185,928.57 for replacement of 21 self-contained breathing apparatus (SCBA), bottles, and masks. This will replace SCBA that were purchased in 2015 from a FEMA AFG award.

MOTIONS FOR CONSIDERATION:

Adopt budget ordinance amendment.

	<u>8-30-23</u>
Misty Hagood, Finance Director	Date

ATTACHMENTS:

- Budget Amendment

MANAGER'S COMMENTS AND RECOMMENDATIONS: Recommend approval

Ordinance No. O-39-23

Amendment No. 4 to the 2023-2024 Budget Ordinance

WHEREAS, the Board of Aldermen of the Town of Waynesville, wishes to amend the 2023-2024 Budget Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Waynesville that the 2023-2024 Budget Ordinance be amended as follows:

General Fund:

Increase the following revenues:

Grants/Restricted Revenues	185,928.57
----------------------------	------------

Increase the following appropriations:

Fire Department	185,928.57
-----------------	------------

Adopted this 12th day of September 2023.

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 22, 2023**

SUBJECT: Garbage Truck

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Public Services
Contact: Ricky Foster, Assistant Director of Public Services
Matthew Price, Street Department Superintendent
Presenter: Ricky Foster, Assistant Director of Public Services

BRIEF SUMMARY: With the transition to the tipper trash cans, we need to add a trash truck to our fleet. This purchase will add an additional truck to help with garbage collection. This is a side arm loader (“one arm bandit”) This quote is from the N.C. Sheriffs Association (Contract # 24-08-0421)

MOTION FOR CONSIDERATION: To approve the purchase of a 29 Yd. garbage truck with the side loading body. Purchased from ARP funding in the amount of \$340,844.00.

FUNDING SOURCE/IMPACT: ARP Funding

ATTACHMENTS:

- NCSA Bid Award
- Joe Johnson Quote

Finance Director:


Misty Hagood, Finance Director

8/28/23

MANAGER’S COMMENTS AND RECOMMENDATIONS:

Bid Award

Contract: 24-08-0421, Heavy Equipment

Group: Industrial Waste and Recycling Equipment

Item: 1521, Labrie, Automizer Right Hand 31 cubic yard, YRHS0274

Zone	Vendor	Price	Percent (Taken off MSRP for base price)	Percent (Taken off MSRP for options)	Build File	Options File
Nationwide	Public Works Equipment	\$150,195.77	6.00%	6.00%	Build	Options



**Joe Johnson
Equipment**

Subsidiary of Federal Signal Corporation

704-289-6488

jjei.com

info@jjei.com

4519 Old Charlotte Hwy. Monroe NC 28110



July 13, 2023

Town of Waynesville
16 South Main Street
Waynesville, NC 28786

RE: Labrie Automizer- Quote# 0123025

We would like to take this opportunity to thank you for your interest in both Joe Johnson Equipment (JJE) and in Labrie Environmental Group's industry-leading line of innovative refuse collection equipment.

JJE is pleased to present the following quotation to provide one (1) new Labrie 29 yd Automizer side loading body, mounted on an International Chassis, tandem axle with conventional cab, per NCSA Contract #24-08-0421 Item # 1521.

We appreciate the opportunity to assist with this equipment requirement and ask that you not hesitate to contact us should you require additional information.

Respectfully Submitted,

Danny Wilson
Regional Sales Manager
Joe Johnson Equipment
Cell: (828)610-3100
dwilson@jjeusa.com



**Joe Johnson
Equipment**

Subsidiary of Federal Signal Corporation

Clean Air. Clean Water. Clean Streets.

704-289-6488 jjei.com info@jjei.com 4519 Old Charlotte Hwy. Monroe NC 28110



Quotation

To provide one (1) new Labrie 29 yard Automizer side loading body, mounted on an International chassis- (tandem axle, conventional cab) to include the following options:

- AUTOMIZER RIGHT-HAND Capacity: 27 (27+2) c.y.
- Crusher Panel
- Heavy Duty Arm & Grabber "32 to 95 gal."
- Spill shield: installed behind grabber
- Auxiliary Arm Control Inside Cab- Curbside
- Packer control on joystick
- Hot-Shift PTO with pump mounted on crossmember
- Multifunction Lights Package
- Work light kit: single, in-cab single manual switch - LED type
- Triple Envirolink Cameras with Heater/Without Shutter
- Zone Defense 9" color LCD monitor
- Clean out tools (broom, hoe & shovel kit including brackets; installed at front-of-body)
- Fire Extinguisher- 20 lbs - curb side
- Larger clean out doors and foldable ladder Hopper floor
liner: 0.250 Hardox 450 steel
- Body: 1 Color Urethane Body Paint Included in unit base price. Includes bolt-on parts painted body color

Purchase Price \$340,844.00

Terms & Conditions

Strictly Subject to Availability and Prior Sale

Subject to revision based on events beyond our control due to wildly fluctuating material prices

Pricing in USD, taxes and fees to be paid at time of tag & title if applicable

Price Includes PDI, delivery and training

FOB: Waynesville, NC

Payment Terms: Due upon receipt

Purchase order required

Delivery: To be confirmed at time of order

Quotation valid for 7 days

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: September 12, 2023**

SUBJECT: Walnut Street Historic District Electric Installation

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Public Services
Contact: Jeff Stines, Director of Public Services
Ricky Foster, Assistant Director of Public Services
Jay Entwistle, Electric Department Superintendent
Presenter: Ricky Foster, Assistant Director of Public Services

BRIEF SUMMARY: This is Phase 2 of the electric infrastructure relocation. The bids were advertised two times with only one bid received both times. This is specifically focusing on the historic district from the intersection of Main Street/Walnut Street and extends to the intersection of Walnut Street/Russ Avenue (Railroad Bridge). This portion of the Russ Avenue will include the decorative lighting that was approved in April. This should complete the electrical portion of Russ Avenue.

MOTION FOR CONSIDERATION: To award the electrical installation for the Walnut Street (Historic District) of Russ Avenue to Haynes Electric in the amount of \$770,690.00.

FUNDING SOURCE/IMPACT: Electric Department Capital

ATTACHMENTS:

- Haynes Electric Bid
- Haynes Electric Bid Bond

Finance Director:


Misty Hagood, Finance Director

8/28/23

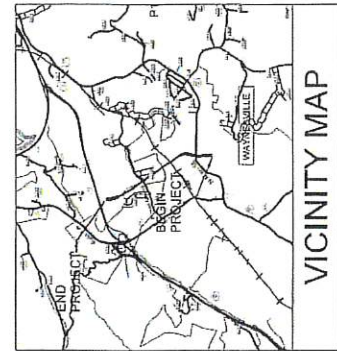
MANAGER'S COMMENTS AND RECOMMENDATIONS:

TOWN OF WAYNESVILLE

Project: Relocation of Walnut Street Utilities
 Bid Number : FBR24-550WAL
 Phase 2



Item #	Item Description	Qty	Unit	Material	Labor	Subcontractor	Total
1	750 UG 15 KV Primary Cable	5500	feet	93,500			93,500
2	1/0 UG 15 KV Primary Cable	2100	feet	10,500			10,500
3	PME9 Switchgear	1	ch	35,000			35,000
4	PME11 Switchgear	1	each	40,000			40,000
5	#2 AWG Aluminum 600V Secondary Cable	2000	feet	4,000			4,000
6	600A 15KV Knife Switch	15	each	5,000			5,000
7	Other wire 4/0 TPX, QPX			2,000			2,000
8	Elbows, terminators, power poles, transformers			157,000			157,000
9	Contract Electric Underground Crew	24	2 Crew-Day		140,640		140,640
10	Contract Electric Overhead Line Crew	18	Crew-Day		147,960		147,960
11	Contract Electric Overhead Construction Crew	12	Crew-Day		98,640		98,640
12	Contract Utility Pole Crew	15	Crew-Day		42,450		42,450
						Total Bid	770,690



STATE OF NORTH CAROLINA
DIVISION OF HIGHWAYS

UTILITIES BY OTHERS PLANS HAYWOOD COUNTY

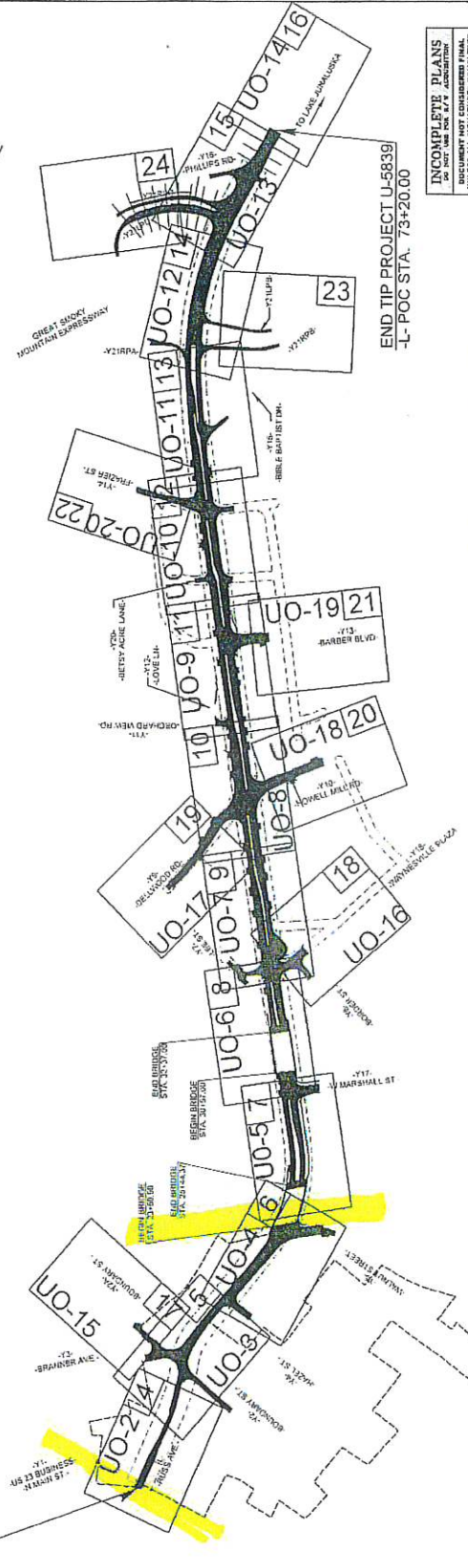
LOCATION: RUSS AVE - US 276 FROM US 2374 (GREAT SMOKY MOUNTAINS EXPWY) TO US 23 BUS (N MAIN ST)

TYPE OF WORK: POWER AND COMMUNICATION LINE RELOCATIONS

TIP NO. U-5839
SHEET NO. UO-1

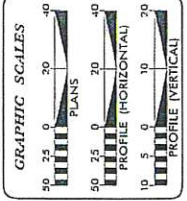
NOTE: ALL UTILITY WORK SHOWN ON THIS SHEET IS DONE BY OTHERS. NO PAYMENT WILL BE MADE TO THE CONTRACTOR FOR UTILITY WORK SHOWN ON THIS SHEET.

BEGIN TIP PROJECT U-5839
-L- POT STA. 10+19.45



END TIP PROJECT U-5839
-L- POC STA. 73+20.00

INCOMPLETE PLANS
DO NOT USE FOR A.R. ADJUSTMENT
UNLESS ALL REVISIONS COMPLETED



INDEX OF SHEETS

SHEET NO.	DESCRIPTION
UO-1	TITLE SHEET
UO-2 THRU UO-30	UBO PLAN SHEETS

- UTILITY OWNERS WITH CONFLICTS
- (A) POWER - DUKE ENERGY
 - (B) POWER - TOWN OF HAYNESVILLE (TWP)
 - (C) COMMUNICATIONS - AT&T
 - (D) COMMUNICATIONS - SPECTRUM
 - (E) COMMUNICATIONS - NCDOT SIGNALS

PREPARED IN THE OFFICE OF:

HINDE ENGINEERING
1111 North Carolina Street, Suite 1100, Raleigh, NC 27603
(919) 833-0001

Michael E. Davis PROJECT UTILITY COORDINATOR
Todd E. Bauer PROJECT UTILITY COORDINATOR
Cory D. Binsinger PROJECT UTILITY DESIGNER

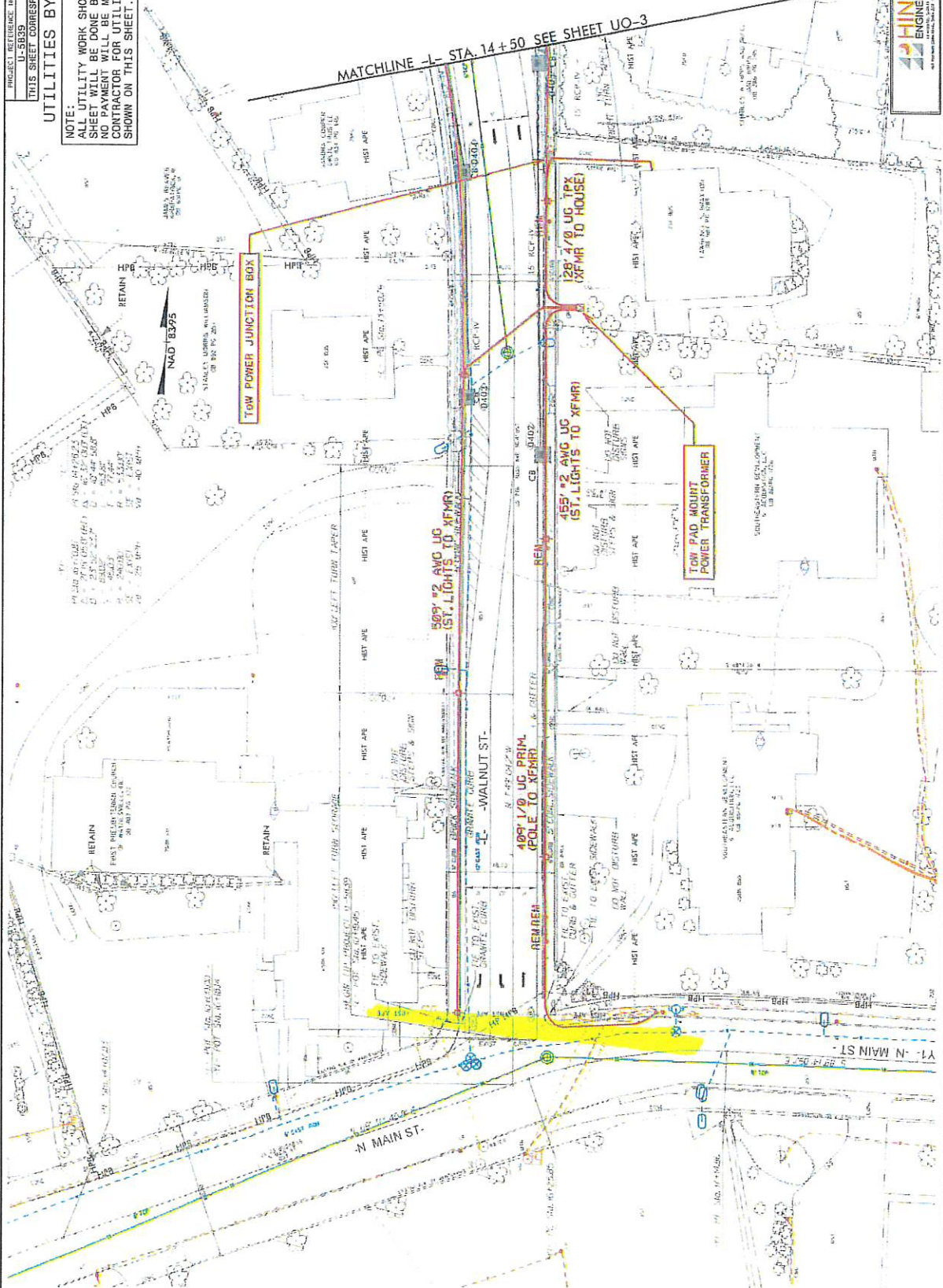
DIVISION OF HIGHWAYS
UTILITIES UNIT
1400 SOUTH MAIN STREET
RALEIGH, NC 27601
PH: 919-733-1000

Mark Stallard, PE DIVISION CONTACT #1
Larry Carpenter, R.L. PE DIVISION CONTACT #2
Thad F. Dwyer, PE DIVISION CONTACT #3
Tamm Anderson DIVISION CONTACT #4

TIP PROJECT: U-5839

PROJECT REFERENCE NO. U-5459
 SHEET NO. UO-2P
 THIS SHEET CORRESPONDS TO R0Y-4

UTILITIES BY OTHERS
 NOTE:
 ALL UTILITY WORK SHOWN ON THIS SHEET WILL BE DONE BY OTHERS. NO PAYMENT WILL BE MADE TO THE CONTRACTOR FOR UTILITY WORK SHOWN ON THIS SHEET.

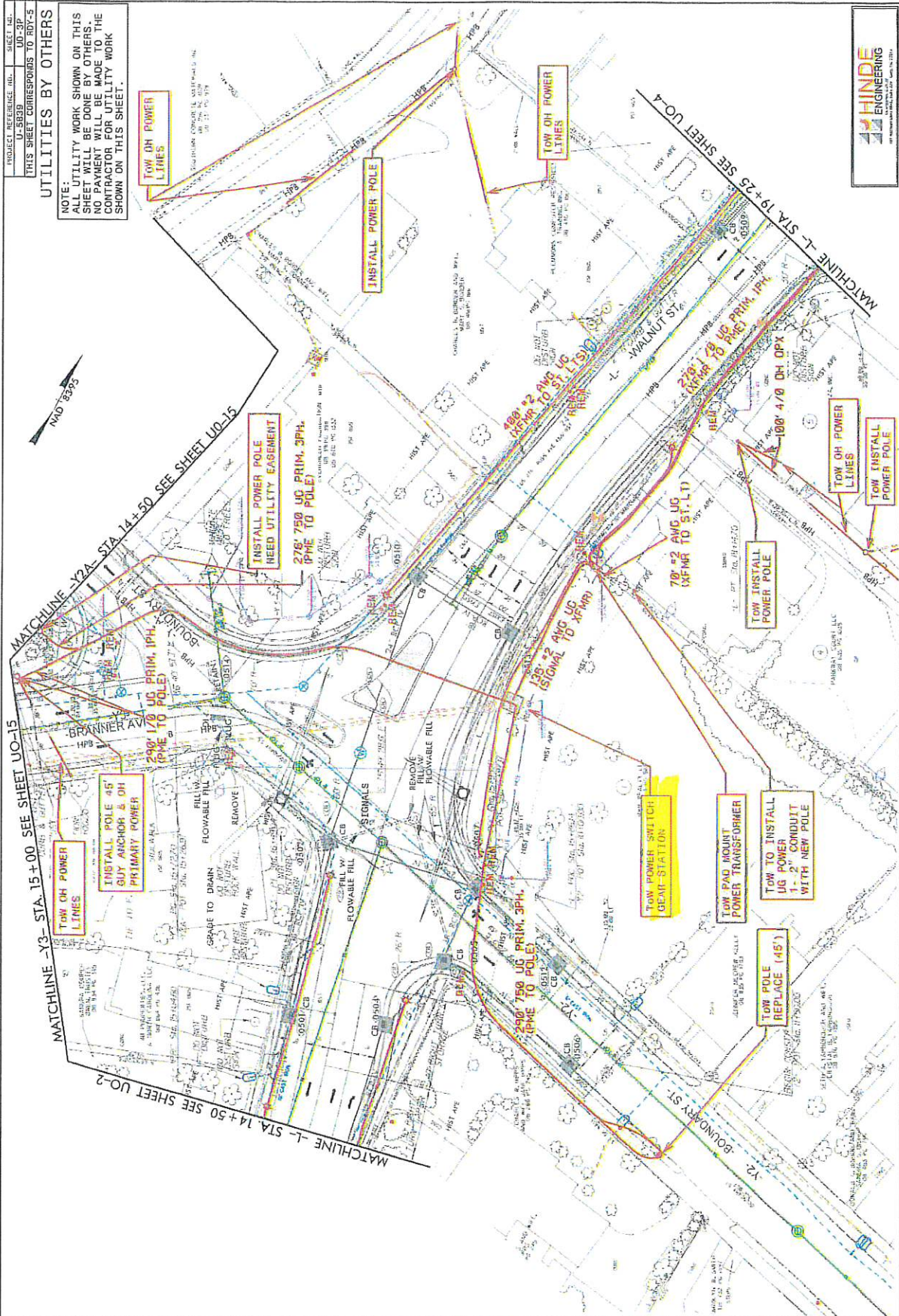


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PROJECT REFERENCE: HIL U-5839
 SHEET NO. UC-3P
 THIS SHEET CORRESPONDS TO RDY-5

UTILITIES BY OTHERS

NOTE:
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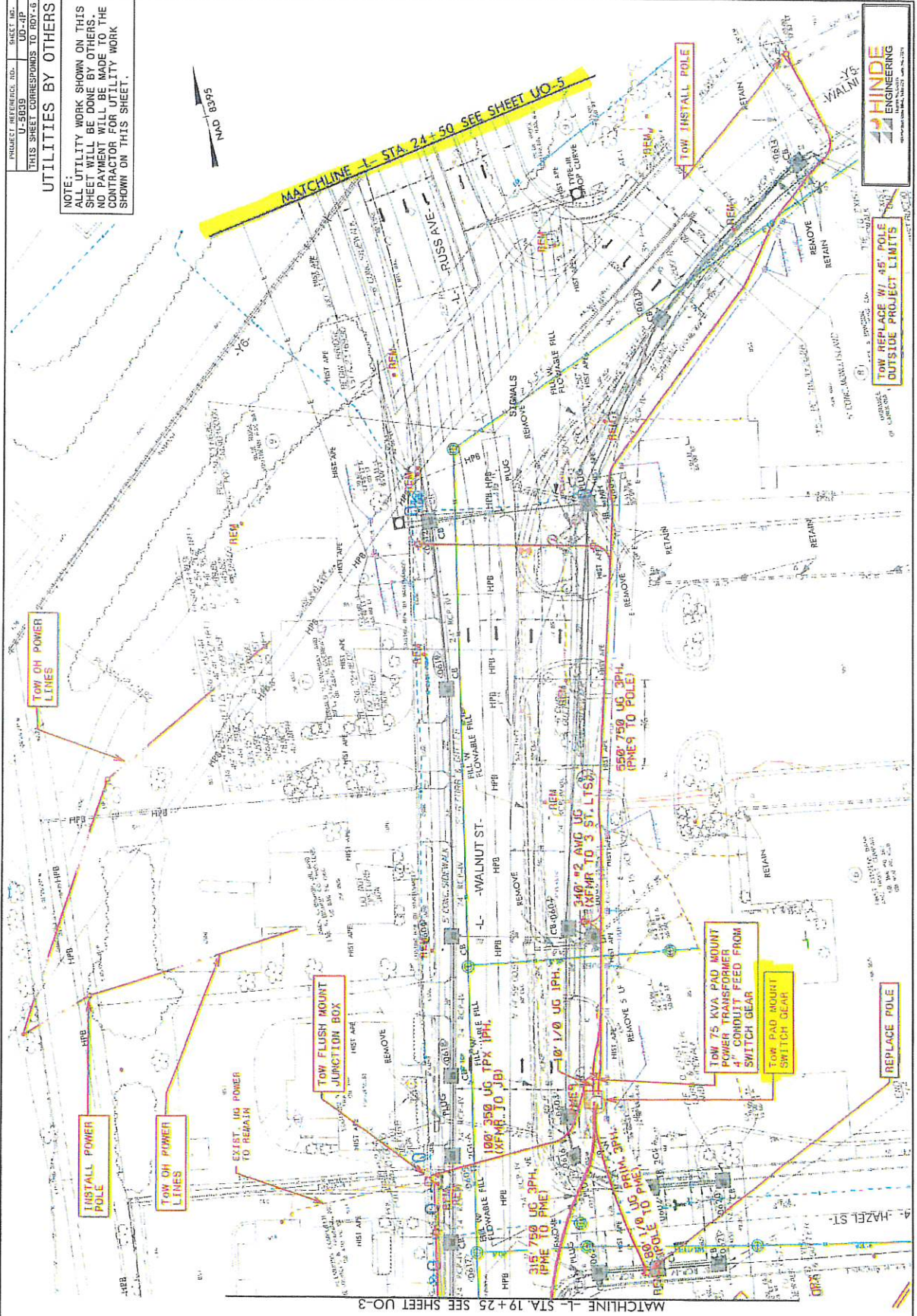


PROJECT REFERENCE NO. U-5039
 SHEET NO. UD-4P
 THIS SHEET CORRESPONDS TO RDY-5

UTILITIES BY OTHERS

NOTE:
 ALL UTILITY WORK SHOWN ON THIS SHEET WILL BE DONE BY OTHERS. NO PAYMENT WILL BE MADE TO THE CONTRACTOR FOR UTILITY WORK SHOWN ON THIS SHEET.

NAD 83/95



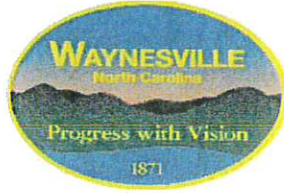
HINDE ENGINEERING
 1111 S. 10TH ST. SUITE 100
 DENVER, CO 80202
 (303) 733-1111
 www.hinde-engineering.com

TOW REPLACE W/ 48" POLE OUTSIDE PROJECT LIMITS

MATCHLINE L- STA 19+25 SEE SHEET UO-3

Town of Waynesville

Walnut Street Project (Phase 2)



REQUEST FOR PROPOSAL

BID OPENING: July 27, 2023, AT 2:00 P.M. BID

DEADLINE FOR QUESTIONS: July 19, 2023, AT 3:00 P.M.

BID PROPOSAL NO.: FBR24-550-Walnut Street

LOCATION: Walnut Street
(Phase 2 of the NC DOT Project)

DATE OF AVAILABILITY: DECEMBER 1, 2023

COMPLETION DATE: MARCH 01, 2024

TOWN OF WAYNESVILLE

FBR24-550-Walnut Street

The Bidder has carefully examined the location of the proposed work to be known as **BID NO. FBR24-550-Walnut Street**; has carefully examined the plans and specifications, which are acknowledged to be part of the proposal, the special provisions, the proposal, the form of contract; and thoroughly understands the stipulations, requirements, and provisions. The undersigned bidder agrees to bound upon his execution of the bid and subsequent award to him by the Town of Waynesville in accordance with this proposal. The undersigned Bidder further agrees to provide all necessary machinery, tools, labor, and other means of construction; and to do all the work and to furnish all materials, except as otherwise noted, necessary to perform and complete the said contract in accordance with the dates(s) specified in the Project Specifications and in accordance with the requirements of the Town, and at the unit or lump sum prices, as the case may be, for the various items given on the sheets contained herein.

The Bidder shall provide and furnish all the materials, machinery, implements, appliances and tools, and perform the work and required labor to construct and complete Phase 2 of NC DOT RUSS AVENUE PROJECT, **BID NO. FBR24-550-Walnut Street**, for the unit or lump sum prices, as the case may be, bid by the Bidder in his bid and according to the proposal, plans, and specifications, which proposal, plans, and specifications show the details covering this project, and hereby become a part of this contract.

If the proposal is accepted and the award is made, the contract is valid only when signed by the Town Manager on behalf of the Town of Waynesville. The conditions and provisions herein cannot be changed except over the signature of the Town Manager.

The quantities shown in the itemized proposal for the project are considered to be approximate only and are given as the basis for comparison of bids. The Town of Waynesville may increase or decrease the quantity of any item or portion of the work as may be deemed necessary or expedient.

PROJECT SPECIAL PROVISIONS

PROJECT

Relocation of power poles, conduit, and lines on Walnut Street in preparation for NC Project U-5839 Phase 2. Two new switchgears to be installed along with new street lighting. The Town of Waynesville is to provide the decorative street lighting which will include new poles and light heads. Work will be done beginning from the bridge at Matchline-L-STA. 24 + 50 to the intersection of Walnut Street and North Main Street. The State of North Carolina Division of Highways will dictate the timeline of this project.

SCOPE OF CONTRACT

The Town of Waynesville (hereinafter referred to as "TOW" or "Town") is seeking the services of an electric utilities maintenance company to provide relocation of power and communication lines consisting of but not limited to labor, supervision, equipment and supplies as specified herein. The intent of these specifications and requirements is to state and define the terms and conditions under which the Contractor shall provide the management, supervision, and manpower capable of performing work at the highest standards necessary to provide these services in a professional and workmanlike manner. This document is intended as a benchmark of the TOW minimum standards for this relocation project.

The Town of Waynesville places significant value on safety. The provisions of the services required as part of this solicitation ultimately reflect upon the Town of Waynesville as a whole. This proposal, as written, is to be binding by the Town and the Contractor.

MANDATORY PRE-BID

Please note that a pre-bid will not be held for this contract. If bidders have questions, they will be addressed in an addendum. The Bidder is encouraged to make his/her own observations of the site maps to determine the items identified in this contract as the Contractor's responsibility.

BID QUESTIONS

Purpose: Upon review of the bid documents, bidders may have questions to clarify or interpret the bid in order to submit the best bid possible. To accommodate the Bid Questions process, bidders shall submit by email any such questions **no later than Wednesday July 19, 2023, at 3:00 PM**. A response to bidder questions will be in the form of an addendum.

Instructions: Written questions shall be emailed to [Jeff Stines, jstines@waynesvillenc.gov](mailto:jstines@waynesvillenc.gov) by the date and time specified above. Questions received prior to the submission deadline date, the Town's response, and any additional terms deemed necessary by the Town will be documented and included in an addendum to be posted on the Town's website waynesvillenc.gov and on the Interactive Purchasing System (IPS): www.ips.state.nc.us/ips/. No information, instruction or advice provided orally or informally by any Town personnel, whether made in response to a question or otherwise in connection with this RFP, shall be considered authoritative or binding. Bidders shall be entitled to rely only on written material contained in an Addendum to this RFP.

The Contractor must sign the addendum signature page(s) where indicated and the entire addendum should be returned with the bid package. Please return the entire addendum, but failure to return the executed signature page(s) of the addendum may result in disqualification of bid.

PREQUALIFICATION

The Town of Waynesville encourages and promotes the growth, development, and continuation of competent Contractors that can perform the work necessary under this contract. The Town's procurement process is built on the principle of competition. The Town of Waynesville believes that the specifications and requirements under this contract are reasonable to satisfy the need for services requested, but are not unduly restrictive, in order to

encourage competition in the open market. In furtherance of these principles, bidders are not required to be prequalified for this contract. All references to "prequalification" of bidders are hereby waived for this contract.

CONTRACT TIME AND COMPLETION DATE

The date of availability for this contract will be December 1, 2023. The completion date for this contract is three (3) months from date of availability.

This project is to be awarded in the discretion of the Town of Waynesville, within thirty (30) days after the opening of bids.

QUANTITIES ESTIMATED

The quantities for materials and labor shown on the itemized bid form are considered to be approximate only and are given as the basis for comparison of bids.

AWARD OF CONTRACT

All eligible proposals will be evaluated, and acceptance made of the bid judged in the discretion of the TOW to determine the lowest responsible bidder for the purpose intended. The Town using its discretion, will determine whether a bidder is a "responsible" bidder. In determining whether a bidder is "responsible, the Contracting Agency will evaluate, the bid price, completeness and content of the bid, Bidder's experience, ability of the Bidder and staff to perform the services required, Bidder's past performance, references, operations plan including completed personnel and materials outlines, and Bidder's financial stability. After opening bids and prior to award, the Contracting Agency may also seek additional information from any or all bidders regarding the bidder's proposal, qualifications, experience, and ability to perform the required work prior to determining whether a bidder is a "responsible" bidder. No changes in bid price or price negotiations will be allowed after bids are opened and prior to an award. After the Town's evaluation, the award of the contract, if awarded, will be made to the lowest responsible bidder. The lowest responsible bidder will be notified that his bid has been accepted and that he has been awarded the contract. If a Bidder is awarded a contract, he/she will be expected to perform the work. Failure to perform may result in the Bidder being held in default of contract. In the event of default, the Department may, in its discretion, contact the next lowest responsible bidder to determine whether that next lowest responsible bidder is willing and able to complete the contract at its bid price.

Unless otherwise allowed by the Town, any formal protest to any proposed bid shall be made in writing (email is acceptable) to the Town for the project within five (5) days of bid opening and shall clearly indicate that it is a "bid protest." The protest must list each item that the protester believes is grounds for rendering a bid defective. The Town Manager will evaluate the protest and determine, in his/her discretion, whether any further action should be taken. Further action may consist of, but not limited to, seeking additional information and/or clarification from any and all bidders regarding the alleged complaint/protest, rejecting any or all bids, finding any or all bids irregular, finding any or all bidders "not responsible", holding a possible informal meeting to discuss the protest, or other actions in the discretion of the Manager. After further evaluation the Town Manager will notify the protesting party what further action, if any, will be taken with regard to the protest. All awards are final and are not subject to further review.

INSURANCE

The Contractor shall be liable for any losses resulting from a breach of the terms of this contract. The Contractor shall be liable for any losses due to the negligence or willful misconduct of its agents, assigns and employees including

any sub-contractors which cause damage to others for which the Town is found liable under the Torts Claims Act, or in the General Courts of Justice, provided the Town of Waynesville provides prompt notice to the Contractor and that the Contractor has an opportunity to defend against such claims. The Contractor shall not be responsible for punitive damages.

The Contractor shall at its sole cost and expense, obtain and furnish to the TOW an original standard ACORD form certificate of insurance evidencing commercial general liability with a limit for bodily injury and property damage in the amount of \$1,000,000.00 per occurrence and general aggregate, covering the Contractor from claims or damages for bodily injury, personal injury, or for property damages which may arise from operating under the contract by the employees and agents of the Contractor. The required limit of insurance may be obtained by a single general liability policy or the combination of a general liability and excess liability or umbrella policy. The Town of Waynesville shall be named as an additional insured on this commercial general liability policy. The policy may contain the following language as relates to the State as an additional insured: "This insurance with respect to the additional insured applies only to the extent that the additional insured is held liable for your or your agent's acts or omissions arising out of and in the course of operations performed for the additional insured."

The Contractor shall maintain all legally required insurance coverage, including without limitation, worker's compensation, and vehicle liability, in the amounts required by law. Providing and maintaining adequate insurance coverage is a material obligation of the contractor and is of the essence of this contract. All such insurance shall meet all laws of the State of North Carolina. Such insurance coverage shall be obtained from companies that are authorized to provide such coverage and that are authorized by the Commissioner of Insurance to do business in North Carolina. The Contractor shall at all times comply with the terms of such insurance policies.

Upon execution of the contract, provide evidence of the above insurance requirements to the TOW. Insurance coverage shall be maintained during the life of this contract and shall extend to operations performed by the contractor or his subcontractors, and by anyone employed directly or indirectly by either of them.

The Contractor shall take out and maintain during the life of this contract Worker's Compensation Insurance for all of his employees employed at the site(s) of the project, in the amounts required by law. In case any work is sublet, the Contractor shall require the Subcontractor similarly to provide Worker's Compensation Insurance for all the latter's employees employed at the site(s) of the project, unless such employees are covered by the protection afforded by the Contractor.

Pursuant to N.C.G.S. § 97-19, all contractors are required, prior to beginning services, to show proof of coverage issued by a workers' compensation insurance carrier, or a certificate of compliance issued by the Department of Insurance for self-insured subcontractors stating that it has complied with N.C.G.S. § 97-93.

The contractor shall defend, indemnify and hold harmless the Town of Waynesville, its officers and employees from any claim, demand, suit, liability, judgment and expense (including attorney's fees and other costs of litigation) arising out of or relating to injury, disease, or death of persons or damage to or loss of property resulting from or in connection with the negligent performance of this contract by the contractor, its agents, employees, and subcontractors or any one for whom the contractor may be responsible. The obligations, indemnities and liabilities assumed by the contractor under this paragraph shall not extend to any liability caused by the negligence of the Town of Waynesville or its employees. The contractor's liability shall not be limited by any provisions or limits of insurance set forth in this contract.

The Contractor shall at all times comply with the terms of such insurance policies, and all requirements of the insurer under any such insurance policies, except as they may conflict with existing North Carolina laws or this contract. The limits of coverage under each insurance policy maintained by the Contractor shall not be interpreted as limiting the Contractor's liability and obligations under the contract.

Proof of insurance from the Insurance Company as described above, for the period of the contract, shall be furnished to the Engineer prior to beginning of service. In addition to proof of insurance, the Contractor's policy shall include provisions whereby the Insurance Company will notify the TOW thirty (30) days prior to the policy being cancelled.

SUBLETTING OF CONTRACT

All work as outlined under this contract shall be performed by employees of the Contractor or by an approved Subcontractor. Any requests for subcontracting must be submitted in writing to the Town a minimum of thirty (30) days prior to the proposed implementation of the subcontract. Subcontracting of required personnel staffing (including supervisor) will not be permitted in this contract. The approval of any subcontract will not release the Contractor of liability under the contract, nor will the subcontractor or the second-tier subcontractor have any claim against the Town of Waynesville by reason of the approval of the subcontract.

Failure of the Contractor to comply with any of the provisions of this article may be justification for disqualifying the Contractor from further bidding.

PERFORMANCE OF WORK

The Contractor's attention is directed to the need for the timely performance of services provided for under this contract. The aesthetic appearance of the site and its reflection on the Town of Waynesville, as well as the safety and convenience of the public is the essence of the service.

TEMPORARY SUSPENSION OF THE WORK

The Town or his representative will observe operations and may suspend work for unsafe activities or conditions. Work will not resume until the unsafe condition has been eliminated or corrected. Failure to comply with any of the requirements for safety and traffic control of this contract shall result in suspension of work.

SITE INVESTIGATION AND REPRESENTATION:

By signing the proposal documents, the Contractor acknowledges that:

- (A) He understands the nature of the work and general and local conditions, particularly those bearing on transportation.
- (B) He is familiar with the availability and cost of labor and materials.
- (C) He will adhere to all State and Local regulations for safety and security of property, roads, and facilities.
- (D) He is able to execute the work in accordance with all applicable local, state, and federal rules and regulations.
- (E) He has thoroughly investigated the project site(s).

Any failure on the part of the Contractor to acquaint himself with all available information shall not relieve him from the responsibility of any aspect of the contracting process. No adjustment in contract time or contract prices will be made due to the Contractor's negligence to familiarize himself with the contract or project site(s).

LEGAL RELATIONS AND RESPONSIBILITY TO PUBLIC

LAWS TO BE OBSERVED

The Contractor shall keep himself fully informed of all Federal and State laws, all local laws, ordinances, and regulations, and all orders having any jurisdiction or authority which may in any manner affect those engaged or employed in the work, or which in any way affect the conduct of the work. He shall at all times observe and comply with all such laws, ordinances, regulations, orders, and decrees; and shall indemnify and hold harmless the Town of Waynesville and their agents and employees from any claim or liability arising from or based on the violation of any such law, ordinance, regulations, order, or decree, by the Contractor or by his agents and employees.

RESPONSIBILITY FOR DAMAGE CLAIMS

The Contractor shall indemnify and save harmless the Town of Waynesville and its officers, agents, and employees from all suits, actions, or claims of any character brought for any injury or damages received or sustained by any person, persons, or property by reason of any act of the Contractor, Subcontractor, its agents, or employees, in the performance of the contract.

SAFETY AND ACCIDENT PROTECTION

The Contractor shall comply with all applicable Federal, State, and local laws, ordinances, and regulations governing safety, health, and sanitation, and shall provide all safeguards, safety devices, and protective equipment, and shall take any other needed actions, on his own responsibility that are reasonably necessary to protect the life and health of employees on the job and the safety of the public, and to protect property in connection with the performance of the work covered by the contract.

WAGES AND CONDITIONS OF EMPLOYMENT

The Contractor's attention is directed to the provisions and requirements of any and all public statutes which regulate hours or conditions of employment on public work. Such provisions and requirements that are appropriate, in accordance with the intent of the particular law, act, or statute, will be applicable to all work performed by the Contractor with his own organization and with the assistance of workmen under his immediate superintendence, and to all work performed by subcontract. It will be the responsibility of the Contractor to ascertain the appropriate application of such provisions and requirements to the work.

PERSONNEL REQUIREMENTS

- A. **General:** During performance of the contract, the Contractor shall provide qualified and trained personnel capable to satisfy all the requirements of this contract. The Contractor is to make a review of the contract requirements for work included herein and in conjunction with actual job site conditions. The required staffing shall not be less than specified; however, the Contractor is responsible for all work included herein. While on duty, Contractor's personnel shall work consistently on the duties as described herein.
- B. **Staffing:** The Contractor shall provide sufficient man hours and personnel to satisfy the contract objectives at all times, but not less than the following man hours per week on site:

GENERAL REQUIREMENTS

SAFETY PRECAUTIONS

- A. Safety and Accident Protection: Contractor shall be required to supply all safety personal protective equipment (PPE) for employees to use/wear. PPE shall consist of, but not limited to face masks, ear protection, safety glasses, safety vest (meeting ANSI/ISEA 107-2004 Class 2 standards), safety toe shoes, and outside working gloves. Contractor shall follow all applicable orders, rules, policies, regulations, and/or OSHA standards, including using/wearing PPE.

All staff shall wear safety vests at all times.

The Contractor shall fulfill the requirements of this contract in a manner that ensures that all public access areas are free of potential hazards or risks that may cause injury, health or safety risks, or damage to assets. All accidents, injuries and near misses shall be reported to the TOW immediately. All staff on duty will be required to submit a written statement to the Department describing the incident.

It is the Contractor's responsibility to ensure that all employees are trained to meet OSHA training requirements and all equipment meets OSHA standards. Any fines imposed as a result of the activities of the Contractor's employees, the Contractor's equipment, or PPE which are in violation of OSHA standards shall be the responsibility of the Contractor.

- B. Materials and Equipment: The Contractor shall provide all materials, equipment, and supplies, adequate in quantity and of a high commercial quality, necessary for professionally performing all work in this contract, regardless of the estimated quantities proposed in their bid. All equipment used shall be commercial grade and of sufficient size to complete tasks effectively and in a timely manner. All equipment shall be in good working order capable of being used as originally intended, including all guards and safety attachments. All mowing equipment shall have deflector shields or bag attachments in place at all times. All blades shall be sharpened. The Contractor's company name shall be conspicuously displayed on each service vehicle.
- C. Temporary Traffic Control (TTC) Prior to beginning any maintenance operations, the Contractor shall place approved 48" x 48" warning signs with stands and orange cones
- D. Fire extinguisher, first aid kit and hazardous spill kit: These items shall be furnished by the Contractor and readily available at all times when work is being performed on site. Contractor shall ensure personnel are trained in the proper use of these items.

In the event of an emergency, Contractor's personnel are to contact local emergency services. Staff is not to act as emergency medical personnel, unless properly certified to do so. Contractor shall report all emergency events to the Town immediately.

Note: Contractor is responsible for any injury or damages received or sustained by any person, persons, or property by reason of any act of the Contractor, Subcontractor, its agents, or employees, in the performance of the contract.

DISCRIMINATION

The Town of Waynesville is fully committed to provide Small Local Business Enterprises (SLBE's) and Minority Business Enterprises (MBE's) an equal opportunity to participate in all aspects of the Town's contracting including, but not limited to participation in the procurement of contracts relating to the construction of and improvements to facilities throughout the Town. It is the policy of the Town to prohibit discrimination against any person or business in pursuit of these opportunities on the basis of race, sex, color, religion, or national origin and to conduct its contracting and purchasing programs to prevent such discrimination. The Town is committed to follow all applicable State and Federal law as they relate to procurement practices.

BID GUARANTEE

- A. Each proposal shall be accompanied by a cash deposit, a cashier's check or a certified check on some bank or trust company insured by the Federal Deposit Insurance Corporation in an amount not less than five percent (5%) of the proposal; or in lieu thereof, a bidder may offer a bid bond executed by a corporate surety licensed under the laws of North Carolina to execute such bond; conditioned that the surety will upon demand forth with make payment to the oblige upon said bond if the bidder fails to execute the contract in accordance with the bid bond, and upon failure to forthwith make payment, the surety shall pay to the oblige an amount equal to the amount of said bond. The deposit shall be retained if the successful bidder fails to execute the contract within ten days (10) after notice of award or fails to give satisfactory surety required herein. **Bid Guaranties should be sealed in a separate envelope, marked as such, and attached to the envelope containing the bidder's proposal.** Checks are to be made payable to the Town of Waynesville. Facsimile bid bonds will not be accepted.
- B. A refund of any cash deposits, made by unsuccessful bidders, will be issued as soon as the bids have been awarded by the Town of Waynesville.

PERFORMANCE AND PAYMENT BOND – required at \$300,000 and above

- A. Having satisfied all conditions of the award set forth elsewhere in these documents, the successful bidder(s) shall furnish, within ten (10) days after award, the following:
 1. A Performance Bond in the amount of one hundred percent (100%) of the Construction Contract amount, conditioned upon the faithful performance of the Contract in accordance with the plans, specifications, and conditions of the Contract. Such bond shall be solely for the protection of the contracting body which awarded the Contract.
 2. A Payment Bond in the amount of one hundred percent (100%) of the Construction Contract amount, conditioned upon the prompt payment for all labor or materials for which a Contractor or Subcontractor is liable. The Payment Bond shall be solely for the protection of the persons furnishing materials or performing labor for which a Contractor or Subcontractor is liable.
- B. Such bond shall be in the same form as that indicated in the contract documents and shall bear the same date subsequent to that of the agreement. The current Power of Attorney for the person who signs for any surety shall be attached to such bond. This bond shall be signed by a guarantee or surety company licensed to do business in the State of North Carolina **and the agent MUST be a North Carolina resident.**

The failure of the successful bidder to supply the required bonds within ten (10) days after award, or within such extended period as the Owner may grant, shall constitute a default; and the Owner may either award the contract to the next lowest responsible bidder or re-advertise for bids. If the successful bidder fails to provide satisfactory surety, the Owners shall retain the bid guarantee as outlined in these instructions.

MAILING ADDRESS FOR DELIVER OF BID VIA U.S.POSTAL SERVICE	OFFICE ADDRESS FOR DELIVERY BY ANY OTHER MEANS, SPECIAL DELIVERY, HAND DELIVERY, OVERNIGHT DELIVERY OR BY ANY OTHER CARRIER
Town of Waynesville Attn: Lisa Burnett Address: 129 Legion Drive, Waynesville, NC 28786 BID NUMBER: FBR24-550-RUSS	BID NUMBER: FBR24-550-WAL Attn: Lisa Burnett Town of Waynesville Purchasing Office Address: 129 Legion Drive, Waynesville, NC 28786

IMPORTANT NOTE: All paper bids shall be physically delivered to the office address listed above on or before the bid deadline in order to be considered timely, regardless of method of delivery (including U.S. mail). **This is an absolute requirement.** All risk of late arrival due to unanticipated delay – whether delivered by hand, U.S. Postal Service, courier, or other delivery service is entirely on the Vendor. It is the sole responsibility of the Vendor to have the bid physically in this Office by the specified time and date of opening. The time of delivery will be marked on each bid when received, and any bid received after the bid submission deadline will be rejected. Sealed bids, subject to the conditions made a part hereof, will be received at the address indicated in the table in this Section, for furnishing and delivering the commodity or service as described herein.

Note that the U.S. Postal Service does not deliver mail to the specified office address but to the State’s Mail Service Center. Vendors are cautioned that bids sent via U.S. Mail, including Express Mail, may not be delivered by the Mail Service Center to the agency’s purchasing office on the due date in time to meet the bid deadline. All Vendors are urged to take the possibility of delay into account when submitting a bid.

All bids shall be submitted in a sealed envelope. Clearly mark each package with: (1) Vendor name; (2) the FBR number; and (3) the due date. Address the package(s) for delivery as shown in the table above. Remember to attach bid bond in a separate envelope and attach to the bidder’s proposal.

Bids shall be marked on the outside of the sealed envelope with the Vendor’s name, FBR number, and date and time of opening. If Vendor is submitting more than one bid, each bid shall be submitted in a separate sealed envelope and marked accordingly. For delivery purposes, separate sealed bids from a single Vendor may be included in the same outer package. Do not include bids for more than one solicitation in the same package.

Failure to address proposals correctly could result in delayed delivery service.

OPENING OF BIDS

Bids subject to the conditions made a part hereof will be received until 2:00 pm, Thursday, July 27, 2023, and then publicly opened for furnishing the services as described herein.

Opening of bids is to be in the Public Works Building located at 129 Legion Drive, Waynesville, NC 28786.

Issuance of this Proposal does not constitute a commitment on the part of the Town of Waynesville to award or execute a Contract. The Town retains the right, in its sole discretion, at any time to reject any or all bids and to cancel or cancel and reissue a Proposal, before or after receipt and opening of bids in response thereto or take any other actions it considers in its discretion to be in the best interest of the Town.

CONTRACTOR CONTACT INFORMATION

Contractor: Haynes Electric Utility a division of MB Haynes Corp.

Address: 187 Deaverview Rd.

Asheville, NC 28806

Telephone Number(s): 828-254-6141

Email Address: ntaylor@mbhaynes.com

Name of individual authorized to answer questions concerning the information contained herein:

Name: Nathaniel D. Taylor

Email Address: ntaylor@mbhaynes.com

CONTRACTOR'S LISTING OF MBE/SBE SUBCONTRACTORS

Firm Name and Address	Circle One	Item No.	Item Description	* Agreed upon Unit Price	** Dollar Volume of Item
Name Address <i>NONE</i>	MBE WBE		<i>NONE</i>	<i>NONE</i>	<i>NONE</i>
Name Address	MBE WBE				
Name Address	MBE WBE				
Name Address	MBE WBE				
Name Address	MBE WBE				
Name Address	MBE WBE				

* The Dollar Volume shown in this column shall be the Actual Price Agreed Upon by the Prime Contractor and the MBE/WBE subcontractor, and these prices will be used to determine the percentage of the MBE/WBE participation in the contract.

** Dollar Volume of MBE/WBE Subcontractor Percentage of Total Contract Bid Price:

** Dollar Volume of MBE Subcontractor \$ 0

MBE Percentage of Total Contract Bid Price 0 %

** Dollar Volume of WBE Subcontractor \$ 0

WBE Percentage of Total Contract 0 %

Contractor's References

These references are to include private commercial firms, governmental agencies (federal, state, county, city, etc.), and any other references related to utility maintenance services which this business or its supervisors, managers, owners, or other persons with supervisory responsibility for performance of this contract have had within the last three (3) years, or longer if necessary to attain the required number of references. The references are one factor that will be used by the Town to determine whether a bidder is "responsible" and capable or able to perform the work necessary under the contract. The bidder may submit more than three (3) references using this same form. **ALL REFERENCE CONTACT INFORMATION SHOULD BE CURRENT.**

1. Agency or Firm Name: Duke Energy
Physical Address: 555 A Brevard Rd. Asheville, NC 28806
Mailing Address: _____
Contact Person: Alex Johnson
Telephone(s): 828-258-6227
Email address: Alex.Johnson@duke-energy.com

2. Agency or Firm Name: French Broad EMC
Physical Address: 3043 Hwy 213 Marshall, NC 28754
Mailing Address: PO Box 9 Marshall, NC 28753
Contact Person: Rocky Fleming
Telephone(s): 828-649-2051
Email address: rocky.fleming@frenchbroademc.com

3. Agency or Firm Name: Haywood EMC
Physical Address: 376 Grindstone Rd. Waynesville, NC 28785
Mailing Address: _____
Contact Person: Joshua Deaver, P.E.
Telephone(s): 828-452-2281
Email address: josh.deaver@haywoodemc.com

EXECUTION OF BID

NON-COLLUSION, DEBARMENT AND GIFT BAN CERTIFICATION

The bidder being duly sworn, solemnly swears (or affirms) that neither he, nor any official, agent or employee has entered into any agreement, participated in any collusion, or otherwise taken any action which is in restraint of free competitive bidding in connection with any bid or contract, that the bidder has not been convicted of violating N.C.G.S. §133-24 within the last three years, and that the bidder intends to do the work with his own bona fide employees or subcontractors and will not bid for the benefit of another contractor.

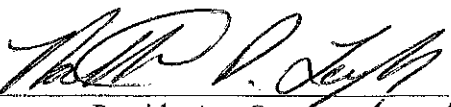
By submitting this non-collusion, debarment and gift ban certification, the Contractor is attesting his status under penalty of perjury under the laws of the United States in accordance with the Debarment Certification attached, provided that the Debarment Certification also includes any required statements concerning exceptions that are applicable.

N.C.G.S. §133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State or Local Government employee of any gift from anyone with a contract with these entities, or from any person seeking to do business with these entities. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

SIGNATURE OF BIDDER

Haynes Electric Utility, a division of MB Haynes Corp.
Full name of Company

187 Deaverview Rd. Asheville, NC 28806
Address


~~President or Owner~~ Sr. VP

Nathaniel D. Taylor
Print Name

U-23775
NC Contractor License

THE CINCINNATI INSURANCE COMPANY

Bid Bond

CONTRACTOR (Name, legal status and address):

Haynes Electric Utility (a division of M.B. Haynes)
187 Deaverview Road
Asheville, NC 28806

SURETY (Name, legal status and principal place of business):

THE CINCINNATI INSURANCE COMPANY
6200 S. GILMORE ROAD
FAIRFIELD, OHIO 45014-5141

OWNER (Name, legal status and address):

Town of Waynesville
129 Legion Drive
Waynesville, NC 28786

This document has important legal consequences. Consultation with an attorney is encouraged with respect to its completion or modification.

BOND AMOUNT:

5% of bid

Any singular reference to Contractor, Surety, Owner or other party shall be considered plural where applicable.

PROJECT (Name, location or address, and Project number, if any):

Phase 2 of NC DOT Russ Avenue Project
Bid No. FBR24-550-Walnut Street
Waynesville, NC 28786

Project Number, if any:

The Contractor and Surety are bound to the Owner in the amount set forth above, for the payment of which the Contractor and Surety bind themselves, their heirs, executors, administrators, successors and assigns, jointly and severally, as provided herein. The conditions of this Bond are such that if the Owner accepts the bid of the Contractor within the time specified in the bid documents, or within such time period as may be agreed to by the Owner and Contractor, and the Contractor either (1) enters into a contract with the Owner in accordance with the terms of such bid, and gives such bond or bonds as may be specified in the bidding or Contract Documents, with a surety admitted in the jurisdiction of the Project and otherwise acceptable to the Owner, for the faithful performance of such Contract and for the prompt payment of labor and material furnished in the prosecution thereof; or (2) pays to the Owner the difference, not to exceed the amount of this Bond, between the amount specified in said bid and such larger amount for which the Owner may in good faith contract with another party to perform the work covered by said bid, then this obligation shall be null and void, otherwise to remain in full force and effect. The Surety hereby waives any notice of an agreement between the Owner and Contractor to extend the time in which the Owner may accept the bid. Waiver of notice by the Surety shall not apply to any extension exceeding sixty (60) days in the aggregate beyond the time for acceptance of bids specified in the bid documents, and the Owner and Contractor shall obtain the Surety's consent for an extension beyond the sixty (60) days.

If this Bond is issued in connection with a subcontractor's bid to a Contractor, the term Contractor in this Bond shall be deemed to be Subcontractor and the term Owner shall be deemed to be Contractor.

When this Bond has been furnished to comply with a statutory or other legal requirement in the location of the Project, any provision in this Bond conflicting with said statutory or legal requirement shall be deemed deleted herefrom and provisions conforming to such statutory or other legal requirements shall be deemed incorporated herein. When so furnished, the intent is that this Bond shall be construed as a statutory bond and not as a common law bond.

Signed and sealed this 26 day of July 2023

Haynes Electric Utility (a division of M.B. Haynes)

(Witness)

(Principal)

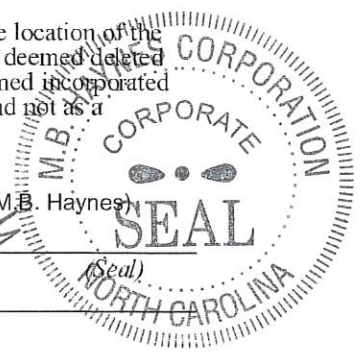
(Title)

THE CINCINNATI INSURANCE COMPANY

(Surety)

(Title)

Karen W. Pressley Attorney-in-Fact



THE CINCINNATI INSURANCE COMPANY
THE CINCINNATI CASUALTY COMPANY

Fairfield, Ohio

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That THE CINCINNATI INSURANCE COMPANY and THE CINCINNATI CASUALTY COMPANY, corporations organized under the laws of the State of Ohio, and having their principal offices in the City of Fairfield, Ohio (herein collectively called the "Companies"), do hereby constitute and appoint

James W. Stickney, IV; Jonathan S. Nelson; Karen W. Pressley; Regina H. Edwards; Robin Melton; Brittany Hollifield; L. Grant Bowles, III; Samuel S. Stickney; Dakota Owenby and/or Kristi Shrum

of Asheville, North Carolina

their true and legal Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and deliver on behalf of the Companies as Surety, any and all bonds, policies, undertakings or other like instruments, as follows:

Any such obligations in the United States, up to
Seventy Five Million and No/100 Dollars (\$75,000,000.00).

This appointment is made under and by authority of the following resolutions adopted by the Boards of Directors of The Cincinnati Insurance Company and The Cincinnati Casualty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the President or any Senior Vice President be hereby authorized, and empowered to appoint Attorneys-in-Fact of the Company to execute any and all bonds, policies, undertakings, or other like instruments on behalf of the Corporation, and may authorize any officer or any such Attorney-in-Fact to affix the corporate seal; and may with or without cause modify or revoke any such appointment or authority. Any such writings so executed by such Attorneys-in-Fact shall be binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company.

RESOLVED, that the signature of the President or any Senior Vice President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary or Assistant Vice-President and the Seal of the Company may be affixed by facsimile to any certificate of any such power and any such power of certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certified by certificate so executed and sealed shall, with respect to any bond or undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS WHEREOF, the Companies have caused these presents to be sealed with their corporate seals, duly attested by their President or any Senior Vice President this 16th day of March, 2021.

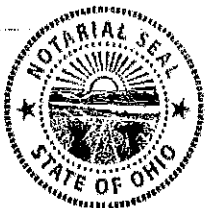


STATE OF OHIO)SS:
COUNTY OF BUTLER)

THE CINCINNATI INSURANCE COMPANY
THE CINCINNATI CASUALTY COMPANY

Stephen A. Ventre

On this 16th day of March, 2021 before me came the above-named President or Senior Vice President of The Cincinnati Insurance Company and The Cincinnati Casualty Company, to me personally known to be the officer described herein, and acknowledged that the seals affixed to the preceding instrument are the corporate seals of said Companies and the corporate seals and the signature of the officer were duly affixed and subscribed to said instrument by the authority and direction of said corporations.



Keith Collétt

Keith Collétt, Attorney at Law
Notary Public - State of Ohio

My commission has no expiration date.
Section 147.03 O.R.C.

I, the undersigned Secretary or Assistant Vice-President of The Cincinnati Insurance Company and The Cincinnati Casualty Company, hereby certify that the above is the Original Power of Attorney issued by said Companies, and do hereby further certify that the said Power of Attorney is still in full force and effect.

Given under my hand and seal of said Companies at Fairfield, Ohio, this 26 day of July, 2023



Ed H

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR BOARD ACTION
Meeting Date: September 12, 2023**

SUBJECT: Consideration of adoption of ARPA grant resolution of acceptance and grant ordinance and budget ordinance.

AGENDA INFORMATION:

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

BRIEF SUMMARY:

The Town of Waynesville was awarded a \$400,000 grant to develop a Stormwater Master Plan. The Master Plan will include: stormwater system mapping, infrastructure condition assessment, development of capital improvement plans and designs, and resiliency planning for current conditions and future growth. The project will also focus on aligning the new Stormwater Plan with Waynesville 2035 Comprehensive Land Use Plan to focus both on water quality and quantity issues and identify sensitive areas of the Town with crucial needs for stormwater infrastructure improvements and risk mitigation. The Plan will assist the Town with its National Pollutant Discharge Elimination System (NPDES) Permit and provide recommendations for continued NPDES compliance and program sustainability.

MOTIONS FOR CONSIDERATION:

1. Motion to adopt the attached resolution and ordinances as presented (or as amended).

FUNDING SOURCE/IMPACT:

This grant is included in the 2023-24 Annual Budget.

ATTACHMENTS:

1. Resolution to accept ARPA Funds
2. Grant Project Ordinance
3. Budget Amendment Ordinance
4. Offer & Acceptance
5. Project Scope
6. Scope Approval

MANAGER'S COMMENTS AND RECOMMENDATIONS:

R-19-23

RESOLUTION BY THE WAYNESVILLE TOWN COUNCIL

- WHEREAS,** the American Rescue Plan Act (ARPA), funded from the State Fiscal Recovery Fund, was established in Session Law (S.L.) 2021-180 to assist eligible units of local government with meeting their drinking water and/or wastewater and/or stormwater infrastructure needs, and
- WHEREAS,** the North Carolina Department of Environmental Quality has offered LASII ARPA funding in the amount of \$400,000 to perform the work detailed in the submitted application, and
- WHEREAS,** the **Town of Waynesville** intends to perform said project in accordance with the agreed scope of work,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF WAYNESVILLE

That the Town of Waynesville does hereby accept the ARPA grant offer of \$400,000; and

That the Town of Waynesville does hereby give assurance to the North Carolina Department of Environmental Quality that any *Conditions or Assurances* contained in the *Funding Offer and Acceptance* (award offer) will be adhered to; has substantially complied, or will substantially comply, with all federal, State of North Carolina (State), and local laws, rules, regulations, and ordinances applicable to the project; and to federal and State grants and loans pertaining thereto; and

That Mayor Gary Caldwell, Town Manager Rob Hites, Development Services Director Elizabeth Teague, and Land Use Administrator Olga Grooman, the Authorized Officials, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the North Carolina Department of Environmental Quality, Division of Water Infrastructure.

ADOPTED this _____ Day of _____, 2023.

AT TOWN OF WAYNESVILLE, NORTH CAROLINA

J. Gary Caldwell, Mayor

ATTEST:

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney

O-40-23
TOWN OF WAYNESVILLE
LASII PLANNING- COMPREHENSIVE STORMWATER MASTER PLAN PROJECT
LOCAL ASSISTANCE FOR STORMWATER INFRASTRUCTURE INVESTMENT PROGRAM (LASII)
FY22 AMERICAN RESCUE PLAN ACT GRANT (ARPA)
PROJECT # SRP-SW-ARP-0060

GRANT PROJECT ORDINANCE

Be it **ORDAINED** by the Town Council of Waynesville, North Carolina, that pursuant to section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following Grant Project Ordinance is hereby adopted.

Section 1: The Project authorized is the LASII Planning- Comprehensive Stormwater Master Plan Project (grant project number SRP-SW-ARP-0060) to be to be financed by the federal American Rescue Plan Act (ARPA) grant funds awarded to the Town of Waynesville by the North Carolina Department of Environmental Quality (DEQ) Division of Water Infrastructure (DWI).

Section 2: The officers of this unit are hereby directed to proceed with the grant project within the terms of the board resolution, grant documents, the rules and regulations of the Division of Water Infrastructure (DWI), and the budget contained herein.

Section 3: The following amounts are appropriated for the project revenues:

ARPA Grant Proceeds	\$ <u>400,000</u>
Total	\$ 400,000

Section 4: The following amounts are appropriated for the project expenses:

Engineering and Administration Services	\$ <u>400,000</u>
Total	\$ 400,000

Section 5: The finance officer is hereby directed to maintain within the ARPA Grant Fund sufficient specific detailed accounting records to satisfy the requirements of the grantor agency, the grant agreements, and federal regulations.

Section 6: Funds may be advanced from the General Fund for the purpose of making payments as due. Reimbursement requests should be made to the State grantor agency in an orderly and timely manner. Compliance with all federal and state procurement regulations is required.

Section 7: The finance officer is directed to report, on a quarterly basis, on the financial status of each project element in section 4 and on the total grant revenues received or claimed.

Section 8: The Budget Officer is directed to include a detailed analysis of past and future costs and revenues on this capital project in every budget submission made to this board.

Section 9: Copies of this grant project ordinance shall be furnished to the Town Clerk, the Budget Officer, and the Finance Officer for direction in carrying out this project.

ADOPTED this _____ Day of _____, 2023.

AT **TOWN OF WAYNESVILLE**, NORTH CAROLINA

J. Gary Caldwell, Mayor

ATTEST:

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney

Ordinance No. O-41-23

Amendment No. 3 to the 2023-2024 Budget Ordinance

WHEREAS, the Town Council of the Town of Waynesville, wishes to amend the 2023-2024 Budget Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Waynesville that the 2023-2024 Budget Ordinance be amended as follows:

General Fund:

Decrease the following revenues:

Grants/Restricted Revenues (400,000)

Decrease the following appropriations:

Development Services (400,000)

Adopted this 12th day of September 2023.

Town of Waynesville

Gary Caldwell
Mayor

Attest:

Candace Poolton
Town Clerk

Approved As To Form:

Martha Sharpe Bradley
Town Attorney

**STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER INFRASTRUCTURE**

**Exhibit:
Offer and Acceptance Letter**

Funding Offer and Acceptance – Stormwater Planning Grant

Legal Name and Address of Award Recipient (i.e., Applicant): **Project Number:** SRP-SW-ARP-0060
 Town of Waynesville **UEID#:** LTFMMKCSKK99
 16 South Main Street **Assistance Listing Number:** 21.027
 Waynesville, North Carolina 28786

Funding Program:

	<input type="checkbox"/>	Additional Amount for Funding Increases	Previous Total	Total Offered
Drinking Water	<input type="checkbox"/>			
Stormwater	<input checked="" type="checkbox"/>			
Wastewater	<input type="checkbox"/>			
American Rescue Plan Act (ARPA) Grant	<input checked="" type="checkbox"/>	--	--	\$400,000

Project Description:

Waynesville LASII Planning - Comprehensive
Stormwater Masterplan

Total Financial Assistance Offer: **\$400,000**
Total Project Cost: **\$400,000**
Estimated Closing Fee: **\$ - 0 -**

Pursuant to North Carolina Session Law 2021-180:

- The Applicant is eligible under Federal and State law;
- The Project is eligible under Federal and State law; and
- The Project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance.

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina:

**Shadi Eskaf, Director, Division of Water Infrastructure
North Carolina Department of Environmental Quality**

DocuSigned by:



6300A872077B4C5...
Signature

8/10/2023

.....
Date

On Behalf of:

Town of Waynesville

Name of Representative in Resolution: _____

Title (Type or Print): _____

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the Assurances and the Standard Conditions.

.....
Signature

.....
Date

STANDARD CONDITIONS

1. Acceptance of this funding offer does not exempt the Applicant from complying with requirements stated in the U.S. Treasury's [Final Rule](#) for the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) and the [SLFRF Compliance and Reporting Guidance](#) (not explicitly referred to in this document) and any future requirements implemented by the U.S. Treasury.
2. Applicants shall comply fully with Subpart C of 2 CFR Part 180 entitled, "Responsibilities of Participants Regarding Transactions Doing Business with Other Persons," as implemented and supplemented by 2 CFR Part 1532. The Applicant is responsible for ensuring that any lower-tier-covered transaction, as described in Subpart B of 2 CFR Part 180, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. The Applicant is responsible for further requiring the inclusion of a similar term or condition in any subsequent, lower-tier-covered transactions. Applicants may access suspension and debarment information at: <http://www.sam.gov>. This system allows applicants the means to perform searches determining whether an entity or individual is excluded from receiving federal assistance.
3. The Uniform Guidance 2 CFR 200.317 through 2 CFR 200.327 gives minimum requirements for procurement, with 2 CFR 200.319(b) addressing engineering services procurement guidelines. ARPA-funded projects also must adhere to North Carolina (NC) State law, specifically NC General Statute (NCGS) §143-64.31, Article 3D, Procurement of Architectural, Engineering, and Surveying (A/E) Services. NCGS §143-64.32 cannot be used to exempt funding recipients (i.e., applicants) from a qualification-based selection for A/E. The State provides applicable certification forms that must be completed prior to receiving funds for any engineering services covered under this funding offer.
4. Local government units designated as "distressed" must complete the associated requirements of NCGS §159G-45(b).
5. Funds made available by the ARPA to the entity accepting the funds in this document (i.e., the Applicant) must only cover eligible costs incurred on or after March 3, 2021. Funds that are not disbursed by December 31st, 2026, will no longer be available for the project. Unused federal funds will revert from the State of North Carolina to the U.S. Treasury.

ASSURANCES

1. The Applicant intends to complete the project in accordance with the Application approved for financial assistance by the Division of Water Infrastructure.
2. The Applicant is responsible for paying for those costs ineligible for ARPA funding including, but not limited to, any amount in excess of the amount of this funding offer. The Applicant agrees to establish and to maintain a financial management system that adequately accounts for revenues and expenditures. Adequate accounting and fiscal records shall be maintained during the completion of the project, and these records shall be retained and made available for a period of at least three (3) years following completion of the project.
3. All ARPA funds shall be expended solely for carrying out the approved project, and an audit shall be performed in accordance with NCGS §159-34. Partial disbursements on this Award will be made promptly, upon request, subject to adequate documentation of incurred eligible costs, and subject to the Applicant's compliance with the Standard Conditions of this Award. The Applicant agrees to make prompt payment to its professional services' provider(s), and to retain only such amount(s) as allowed by NCGS.
4. The Applicant shall expend all of the requisitioned funds for the purpose of paying the costs of the project within three (3) banking days following the receipt of the funds from the State.
5. Funds must be spent fully (i.e., fully reimbursed to the Applicant) by December 31st, 2026.

Acknowledgement of Standard Conditions and Assurances

The Applicant hereby gives assurance to the Department of Environmental Quality that the declarations, assurances, representations, and statements made by the Applicant in the Application, and all documents, amendments, and communications filed with the Department of Environmental Quality by the Applicant in support of its request for financial assistance, shall be fulfilled.

.....
Signature

.....
Date

Waynesville LASII Planning - Comprehensive Stormwater Masterplan

Preliminary Project Scope, Cost Estimate, and Schedule for Each Major Task

The Town of Waynesville is requesting \$400,000 for the Comprehensive Stormwater Master Plan to include stormwater system mapping, infrastructure condition assessment, development of capital improvement plans and designs, and resiliency planning for current conditions and future growth. The project will also focus on aligning the new Stormwater Plan with Waynesville 2035 Comprehensive Land Use Plan to focus both on water quality and quantity issues and identify sensitive areas of the Town with crucial needs for stormwater infrastructure improvements and risk mitigation. The areas that will be assessed for stormwater-related planning and improvement include but are not limited to Town's facilities and properties, drainage infrastructure (including Town's outfall system and culverts), and mitigation measures along impaired streams within the watershed of Richland Creek, which is on the 303(d) list for 'elevated fecal coliform bacteria' (2016). The preliminary project scope, schedule, and cost estimates are outlined below:

**Submitted to the NC DEQ
on May 15, 2023**

2023:

1. **May - June** : Prepare and finalize RFQ
2. **July - August** : Advertise / send out RFQ
3. **September 15**: RFQ Response Deadline
4. **October**: Consultant Selection, contracting
5. **November**: Project kick-off: initial meeting with consultant, scheduling, strategizing tasks and deliverables.

**Approved by the NC DEQ with no
objections on August 10, 2023**

2024:

6. **January – August: Field Work, Data Collection:**
 - **Asset Inventory & Assessment of Existing Infrastructure:** assessment of potential mitigation sites, environmentally sensitive areas (impaired stream areas), Town properties (including Public Services Facility with fleet maintenance facility and Finance Office that is in the floodplain), and Town-owned SCMs
 - Field inspections of sites, drainage infrastructure and outfall analysis
 - Assessment of existing culverts, storm drains, and stream capacity for handling current and increased precipitation frequency and intensity
 - Data Gap Analysis
 - Data collection, field testing, identifying stormwater improvements and repairs
 - Assessment and analysis of current conditions and resiliency
7. **September – May: Reporting and Plan Draft:**
 - Evaluation of selected mitigation sites
 - Statement of current conditions
 - Conceptual capital projects
 - Mapping, reporting, and recommendations
 - Database update
 - H&H Modeling

- Engineering and cost estimates of improvements
- Development of stormwater capital improvement plan and related designs based on water quality and quantity findings
- Plan for stormwater infrastructure replacements and best management practices
- Long-term maintenance plan based on the age and condition of the stormwater infrastructure
- Analysis of future impacts and identification of at-risk structures; areas of future growth; and opportunities for resiliency plan actions.
- Assessment of financial needs and preliminary cost estimates for repairs, replacements, and capital improvement projects identified in the Plan
- Identifying potential flooding hazards throughout the Town by targeting a wide array of measures including green infrastructure, natural channel design, and engineered drainage infrastructure
- Prioritization of projects according to impact and effectiveness
- Draft Comprehensive Stormwater Masterplan of 10 years from the projected adoption of the plan.

2025:

8. June – September: Public Workshops and Community Input:

- Initial Presentation to the Town Council for input on the Master Plan Draft and public comment.
- Public workshop for community feedback, education, and participation.
- Meeting with stakeholders (number to be determined based on need and study areas) for additional input: Town departments’ leadership teams, board members, and local business owners.
- All events will be advertised in the local newspaper, Town Hall bulletin board, Town’s website and social media.

9. October - December: Stormwater Master Plan corrections and additions; final version ready

2026:

10. January - February: Presentation of the Plan to the Council for final approval and adoption. This public hearing will be properly advertised for community notification.

11. March - May: Finalizing the adoption process, minutes, and signatures. Ordering the printed version of the Plan, and posting it on the Town’s website.

- Incorporate Stormwater Master Plan Capital Improvement Program into Town’s FY budget draft

12. June – November: Collecting reimbursement paperwork and relevant documentation, reporting to the State, and applying for reimbursements.

13. December: Grant Close out.

The proposed planning project will address public education and outreach, public involvement and participation, illicit discharge detection and elimination, pollution prevention and good housekeeping for municipal operations. Throughout the process, the Town will look for ways to integrate stormwater

education to proposed projects (i.e., community workshops, public hearings advertisement on social media, Town's web pages, and local stakeholder involvement). The Town will also target projects that connect people to the environment (i.e., water quality parks near greenways and recreational facilities, encourage low impact developments, etc.).

The cost estimates that are included on the last page of this document are based on the specific tasks:

Task 1 - Project Management & Grant Administration

Project Management Services following best practices to meet objectives, quality standards, schedule, and budget. The Consultant will conduct a kickoff meeting with Client staff to obtain necessary background information including flooding history, maps, and locations of known problem areas. The Consultant will provide the following services as part of this task:

- Provide overall project management services to monitor job progress, arrange resources for the project, and communicate to the Client the status of the project.
- Monthly updates to Client staff regarding project progress.
- Administer the project internally.
- Participate in regularly scheduled conference calls with Client to discuss project progress.
- Manage project processes, communication, and resources.
- Review appropriate State and federal American Rescue Plan Act (ARPA) guidelines applicable to this Project.
- Complete preliminary paperwork needed to submit reimbursements for the Project.
- Prepare requisition payment requests and compile necessary supporting documentation for the Client to review, execute, and submit to North Carolina Department of Environmental Quality (NCDEQ)'s Division of Water Infrastructure (DWI).
- Assist the Client Finance Officer in keeping necessary files and match documentation.
- Act as a liaison as required between the Client and DWI.
- Assist the Client in close-out procedures and paperwork.

Phase 1: Asset Inventory & Assessment of Existing Infrastructure

Task 2 - GIS Data Gap Analysis

The Consultant will obtain the latest version of the Client's GIS stormwater database and review for completeness. Areas within the study limits that lack stormwater features and/or attributes will be noted as focus areas and utilized for the GPS data collection portion of the project. The Client will assist the Consultant in prioritizing focus areas for data collection.

Task 3 - Data Collection and Assessment

The Consultant will locate and assess condition of facilities, drainage infrastructure, and outfalls within the study area and as prioritized by Town of Waynesville.

- Those structures will be assessed in the field by pulling lids and obtaining invert measurements to populate the GIS attribute table. In addition, the Consultant will verify pipe connectivity and identify possible visible issues that require immediate attention by the Town.

- The Consultant will verify and collect attribute information for pipe diameter, pipe material, inverts, type, and overall structure condition visible from outside the structure.
- The Consultant will take approach photos of the inventoried structures and an inside photo using a 360-degree panoramic camera when accessible. These photos will be embedded in the GIS Data.
- Assessment of existing culverts, storm drains, and stream capacity for handling current and increased precipitation frequency and intensity
- Data collection, field testing, identifying stormwater improvements and repairs
- Assessment and analysis of current conditions and resiliency

Task 4 - Database Update

Consultant will compile all collected field data and condition assessment information in a GIS database. At the conclusion of the field GPS location and data attribution tasks, the data will be integrated with the existing GIS database to represent the newly collected information. This will include a QA/QC review by staff, and field crews will revisit any areas identified from the QA/QC process that are flagged.

Phase 2: Stormwater System Capital Improvement Plan

Task 5 - Existing Conditions Hydrologic and Hydraulic Modeling

The Consultant will prepare an existing conditions hydrologic and hydraulic (H&H) model of priority areas within the Town of Waynesville. This H&H model will be used to evaluate capacity of existing stormwater facilities and infrastructure and will be used as the basis to identify conceptual projects for the Capital Improvement Plan.

The Consultant will provide the following services as part of this task:

- Prepare detailed existing conditions hydrologic and hydraulic model using Storm Water Management Model (SWMM) software from the United States Environmental Protection Agency (EPA).
- Utilize publicly available data such as LiDAR, SSURGO soils, orthoimagery, building layers;
- Utilize field survey data as provided in Phase 2.
- Calculate and parameterize hydrologic values of subcatchments in GIS including:
 - Drainage basin boundaries.
 - Drainage basin area and slope.
 - SSURGO soil parameters.
 - Impervious areas and land cover characteristics.
 - Watershed shape and flow-paths.
- Utilize NOAA Atlas 14 rainfall depths for the 2-, 10-, 25-, 50-, and 100-yr storm events.
- Develop hydraulic network for system drainage features in GIS including:
 - Link-Node schematic of storm drain inventory structures, pipes, ditches, open channels, culverts, and overland flow.
 - Define stage-storage elevation curves for storage nodes.
 - Characterize open and irregular channel geometry.
 - Define outfall locations and boundary conditions.

- Provide limited calibration of the existing conditions model using best available information for example: historic rainfall, post-storm aerial orthoimagery, high-water marks, and citizen feedback.
- Prepare existing conditions inundation depth maps depicting extents and depth of flooding for each modeled storm event.
- Discuss results with Client to identify list of areas of concern (AoC).

Task 6 - Conceptual Projects

After identifying the Areas of Concern, Consultant and Client will develop planning level conceptual stormwater improvement options. These options will focus on flood risk reduction, replacing aging/failing infrastructure, green stormwater devices, water quality improvements, and nature based solutions.

Consultant shall provide the following services as part of this task:

- Revise existing conditions model with conceptual improvements.
- Prepare schematic level exhibits of the proposed improvements.
- Prepare planning level engineer's construction and permitting cost opinions with line items for each conceptual project.
- Prepare proposed conditions inundation depth maps depicting extents and depth of flooding for each modeled storm event.
- Conceptual stormwater improvements and cost opinions will be provided to the Client for one review cycle before proceeding with the development of the Stormwater Master Plan;

Task 7 - Capital Improvement Plan

Consultant shall prepare a 10-year capital improvement plan from information gathered and analyzed in previous tasks. CIP projects will include:

- Prioritization of projects according to impact, effectiveness, and equity
- Maintenance plan based on the age and condition of the stormwater infrastructure
- Engineering and cost estimates of improvements
- Assessment of financial needs and preliminary cost estimates for repairs, replacements, and capital improvement projects.
- Draft Comprehensive Stormwater Masterplan of 10 years from the projected adoption of the plan.

Phase 3: Growth Assessment and Resiliency Plan

Task 8 - Public Participation

Part of the process of watershed characterization and master planning will include public input to identify issues of concern and sources of data not previously identified. It will also be an opportunity to identify flooding concerns and to garner citizen engagement and support.

Consultant shall provide the following services as part of this task:

- Prepare a public input and engagement strategy with Client to identify key objectives and stakeholders
- Conduct up stakeholder meetings
- Conduct in-person public charettes. Client to host public meetings to encourage public participation in the ongoing plan and get feedback on project priorities.

Task 9 - Growth Assessment and Resiliency Plan

Consultant will develop an understanding of the climate-related flood risks facing the Town of Waynesville, which will be used to help develop and prioritize the actions necessary to address these risks. The results of this assessment will provide the Waynesville with an understanding of flood risks and priority projects needed to support future steps in preparing for flooding challenges. This assessment will also look to future growth areas and assess the needs and stressors of future growth. Consultant will make recommendations for adjustments to ordinances or development standards based on future growth scenarios and water quality concerns and flood risk.

Task 10 - Final Report

The final deliverable will be a comprehensive report detailing the methodology, findings, and recommendations into a stormwater master plan. Consultant will prepare a document that will contain the following information developed as part of the above tasks:

- Summary of hydrologic and hydraulic methodologies and flood modeling results.
- Summary of potential flooding issues identified with exhibits illustrating flooding locations.
- Conceptual stormwater improvement options for areas of concern to include:
 - Summary of identified issues and potential solutions.
 - Rough lump sum order of magnitude cost opinion for purpose of planning and prioritization.
 - Concept level drawings of proposed improvements.
 - Itemized order of magnitude cost opinions.
- Meet with Client to review draft master plan.
- Revise draft report to incorporate comments from Client.
- Finalize stormwater master plan report.

Task No.	Task Name	Fee
1	Project Management & Grant Administration	\$60,000
Phase 1: Asset Inventory & Assessment of Existing Infrastructure		\$90,0000
2	GIS Data Gap Analysis	\$6,500
3	Data Collection and Assessment	\$75,000
4	Database Update	\$8,500
Phase 2: Stormwater System Capital Improvement Plan		\$190,000

5	Existing Conditions H&H Modeling	\$90,000
6	Conceptual Projects	\$60,000
7	Capital Improvement Plan	\$40,000
Phase 3: Growth Assessment and Resiliency Plan		\$60,000
8	Public Participation	\$6,000
9	Growth Assessment and Resiliency Plan	\$24,000
10	Final Report	\$30,000
TOTAL		\$400,000



NORTH CAROLINA
Environmental Quality

August 10, 2023

Exhibit:
Preliminary Project Scope
Approval and Next Steps

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

SHADI ESKAF

Director

Mr. Rob Hites
Town of Waynesville
16 South Main Street
Waynesville, North Carolina 28786

Subject: Preliminary Project-Scope Approval &
Transmittal of Offer-and-Acceptance Funding Award
Stormwater Planning Grant
Waynesville LASII Planning - Comprehensive
Stormwater Masterplan
DWI Project No(s): SRP-SW-ARP-0060

Dear Mr. Hites:

The Division of Water Infrastructure (**Division**) has reviewed the recently submitted preliminary project scope information, and we have no objections concerning the document(s) provided. Therefore, we are pleased to inform you the preliminary scoping document is approved herein.

In addition, with this document's approval, the above-referenced project, thusly, is now authorized to receive its intended *American Rescue Plan Act (ARPA)* funding, provided from the State Fiscal Recovery Fund (SFRF), as established in Session Law (S.L.) 2021-180 please note projects funded from the SFRF must meet applicable federal law and guidance for the ARPA funds. *The ARPA grant funding will cover one hundred percent (100%) of eligible, stormwater study, design or plan costs from the S.L. 2021-180 appropriation.*

Accordingly, enclosed are two (2) copies of an "offer-and-acceptance" document extending the **Town of Waynesville** a **funding award** in the total amount of **\$400,000**. This award is made by the Division subject to the "Assurances" and "Conditions" set forth in the enclosed offer-and-acceptance document.

Upon your acceptance, please submit the following items to the Division, and addressed directly to the attention of **Pam Whitley**, Division of Water Infrastructure, 1633 Mail Service Center, Raleigh NC 27699-1633 (Pam.Whitley@deq.nc.gov):

1. A resolution (sample copy attached), adopted by your governing body, accepting the ARPA grant offer, and making the applicable assurances contained therein; and
2. One (1) original copy of the "offer-and-acceptance" document, executed by the designated Authorized Representative for the project, along with the signed "Standard Conditions" and "Assurances". Please retain the fully executed, second original copy for your files.

Reimbursement requests must be prepared using our standardized reimbursement-request form. A reference copy of this form has been enclosed for your convenience. You are free to reproduce this form should



Mr. Hites
Town of Waynesville
August 10, 2023
Page 2 of 2

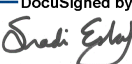
additional copies be needed. Reimbursement requests shall be forwarded to a DWI Accountant at DWI.Businessoffice@deq.nc.gov. *Once work referenced within the approved scoping document commences, an updated, fully-completed, current and signed/dated copy of our Reimbursement Request Form must be submitted with all reimbursement requests.*

Finally, regarding reimbursements, please note the following:

Disbursement is based on the progress made on the project. To obtain payment, you must document the expenditures for which the payment is requested. Final disbursement (10%) will be made only after receiving a final deliverables documenting the completion and findings of the study, as approved herein. **All costs incurred prior to March 3, 2021, are not eligible for ARPA funds, and all ARPA funds must be expended prior to December 31, 2026.**

On behalf of the Department of Environmental Quality, I am pleased to make this offer of ARPA funds, made available by the SFRF. If you have any questions, please contact Jason Robinson, P.E., by telephone at 919.707.3887 or by e-mail at jason.t.robinson@deq.nc.gov.

Sincerely,

DocuSigned by:

6300A872077B4C5...
Shadi Eskaf, Director
Division of Water Infrastructure, NCDEQ

Enclosures: ARPA Grant Offer-and-Acceptance Document (2 copies)
Reimbursement-Request Form
Resolution-to-Accept ARPA Grant Offer (suggested format)
Professional Engineering Services Procurement Certification

cc: Rob Hites, Town of Waynesville (via email at rhites@waynesvillenc.gov)
Amanda Whitaker, WithersRavenel, Greensboro (via email at awhitaker@withersravenel.com)
Steve Marks, P.E., WithersRavenel, Cary (via email at smarks@withersravenel.com)
Antonio V. Evans, P.E. (DWI, via e-mail)
Mark Hubbard, P.E., (DWI, via e-mail)
Jason Robinson, P.E. (DWI, via e-mail)
Karin Britt (DWI, via e-mail)
DWI Administrative Unit (DWI, via e-mail)
Pam Whitley (DWI, via e-mail)
Jennifer House (DWI, via e-mail)
ARPA File (**EREID – ERAL**)
Project Agreement #: 2000067126

**TOWN OF WAYNESVILLE COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: September 12, 2023**

SUBJECT: Selection of the engineering firm for Comprehensive Stormwater Master Plan and grant administration services.

AGENDA INFORMATION:

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

BRIEF SUMMARY:

On March 23, 2023, Waynesville received the Local Assistance for Stormwater Infrastructure Investment (LASSII) **Planning Grant** from the American Rescue Plan Act (ARPA) through the NC Department of Environmental Quality. The funding amount is \$400,000 via reimbursement, and there is no match. All the work must be completed and the grant closed by the end of 2026.

With this grant, the Town will update its long-term Stormwater Master Plan to include additional stormwater infrastructure mapping, condition assessment, development of a capital improvement and financial plan, preliminary designs, funding needs, and future resiliency planning. The Master Plan will provide guidance for future growth impacts and storm drainage infrastructure needs. The projects identified will address both water quality and water quantity issues that impact Richland Creek, its tributaries, and any impediments to the NPDES compliance.

The Stormwater Master Plan project is consistent with the Waynesville 2035 Land Use Plan's Goal # 3 to protect and enhance Waynesville's natural resources. The areas that will be assessed for stormwater-related planning and improvement include, but are not limited to, Town facilities and properties, drainage infrastructure (outfalls, catch basins, and culverts), mitigation measures along impaired streams, recommendations on a stormwater utility fee, and staffing needs for effective stormwater management.

The scope of the project is described in the attached Request for Proposal (RFQ), which was duly advertised, and which resulted in five (5) qualifying proposals. A subcommittee of the Town's department heads and other staff reviewed all the proposals and recommend WithersRavenel as the most suitable firm to complete the Master Plan and assist with grant administration.

Today, we seek the Council's approval to proceed with Withers Ravenel as the selected contractor. Staff will return to Council for approval of the proposed contract.

MOTIONS FOR CONSIDERATION:

1. Motion to direct staff to move forward with contract negotiations with WithersRavenel for professional engineering and grant administration services for Comprehensive Stormwater Master Plan, as specified in the RFQ.

FUNDING SOURCE/IMPACT:

This project was approved in the 2023-24 Annual Budget for the General Fund.

ATTACHMENTS:

1. Memorandum
2. Grant award letter by the NC DEQ
3. Request for Qualifications (RFQ)
4. RFQ advertisements
5. Selection Rubric
6. Proposal by WithersRavenel

MANAGER'S COMMENTS AND RECOMMENDATIONS:



TOWN OF WAYNESVILLE

Development Services Department

PO Box 100

9 South Main Street

Waynesville, NC 28786

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

www.waynesvillenc.gov

MEMORANDUM

To: Waynesville Town Council
From: Olga Grooman, Development Services
Re: RFQ and recommendation of contractor for the Comprehensive Stormwater Master Plan
Date: September 12, 2023

Town staff advertised a Request for Qualifications (RFQ) to seek the most suitable engineering firm for a Comprehensive Stormwater Master Plan and grant administration per the NC GS Chapter 143- Article 3D, 2 CFR Part 200 Subpart D, and *Town of Waynesville Purchasing Policy and Procedures*.

To ensure a satisfactory number of applicants, we advertised the RFQ twice. The RFQ was first issued on June 1, 2023 with the deadline on July 3, 2023. We received only two (2) applications. We re-advertised the RFQ on July 5, 2023 with the deadline on August 2, 2023. The RFQ was also listed on the NC Planning listserv, NC Stormwater listserv, Town of Waynesville website, the Mountaineer newspaper, and the Office for Historically Underutilized Businesses (HUB) website. This approach ensured transparency and competitiveness in our selection process. During the second round of advertisement, we received five (5) proposals from the following firms:

1. McGill Associates
2. Michael Baker Engineering & EnviroScience, Inc. (joint proposal)
3. SeamonWhiteside
4. WithersRavenel
5. WK Dickson

The selection committee comprised of Rob Hites (Town Manager), Ricky Foster (Assistant Public Services Director), Elizabeth Teague (Development Services Director), and Olga Grooman (Land Use Administrator) selected the most suitable firm based on the criteria from the RFQ rubric. The committee unanimously made a recommendation to select the firm of WithersRavenel who provided a detailed scope of services and strong record of relevant experience that satisfied the RFQ and the project needs: extensive background in stormwater master planning, identification and design of capital improvement projects, GIS, data collection and analysis, public outreach, citizens workshops, and experience and knowledge of federal/state grant management and reporting requirements.

The selection committee recommends the Town contract with WithersRavenel for all the work described in the RFQ, and that Council approves proceeding with contract negotiations. Once complete, proposed contract will be presented to the Council for final approval.



NORTH CAROLINA
Environmental Quality

March 23, 2023

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

SHADI ESKAF

Director

Mr. Rob Hites, Town Manager
Town of Waynesville
16 South Main Street
Waynesville, NC 28786

Subject: Stormwater Planning Grant Letter of Intent to
Fund
Town of Waynesville
Waynesville LASII Planning - Comprehensive
Stormwater Masterplan
September 2022 Application Cycle
Project No.: SRP-SW-ARP-0060

Dear Mr. Hites:

The Division of Water Infrastructure (Division) has reviewed your application for a Stormwater Planning Grant, and the State Water Infrastructure Authority (SWIA) has approved your project as eligible to receive a grant. The Local Assistance for Stormwater Infrastructure Investments (LASII) grant from the American Rescue Plan Act (ARPA) will be one hundred percent of eligible project costs up to a maximum of \$400,000. Projects funded from ARPA must meet applicable federal law and guidance for the ARPA funds.

The first milestone is the submittal of a preliminary project scope that includes a cost estimate and schedule for each major task by June 1, 2023. Please email this to Jason Robinson at jason.t.robinson@ncdenr.gov. Upon review of this information, we will issue the grant agreement and information package for your signature and approval.

All costs incurred prior to March 3, 2021, are not eligible for ARPA funds and the Division will make no reimbursements for ARPA funds after December 31, 2026.

Please note that work conducted prior to the receipt of the grant offer may later be determined to be ineligible, so please contact us if you desire to proceed before receipt of the grant offer. Some items included in the application may not be eligible for funding.

Upon detailed review of the project during the funding process, it may be determined that portions of your project are not eligible for funding.



North Carolina Department of Environmental Quality | Division of Water Infrastructure
512 N. Salisbury Street | 1633 Mail Service Center | Raleigh, North Carolina 27699-1633
919.707.9160

Mr. Rob Hites, Town Manager

March 23, 2023

Page 2 of 2

Engineering Services Procurement

The Uniform Guidance 2 CFR 200.317 through 2 CFR 200.327 gives minimum requirements for procurement, with 2 CFR 200.319(b) addressing engineering services procurement guidelines. ARP-funded projects must also adhere to North Carolina State law, specifically NC General Statute 143-64.31, Article 3D Procurement of Architectural, Engineering, and Surveying (A/E) Services. NCGS 143-64.32 cannot be used to exempt Recipients from a qualification-based selection for A/E. The State provides applicable certification forms that must be completed prior to receiving funds for any engineering services covered under this funding offer.

Upon receipt of your letter of intent to fund, please fill out the attached Federal ID & Unique Entity ID (UEI) form and email it to Pam Whitley at pam.whitley@ncdenr.gov. If you choose to decline this funding, the Authorized Representative as declared in the application must directly contact the Division project manager via email or letter on the applicant's letterhead.

We look forward to working with you on this project. If you have any questions, please contact Jason Robinson at jason.t.robinson@ncdenr.gov or by phone at (919) 707-3887.

Sincerely,



Jon Risgaard, Chief
State Revolving Fund Section

EC: Amanda Whitaker, WithersRavenel (via email)
Steve Marks, WithersRavenel (via email)
Jason Robinson (via email)
LASII Project File (COM_LOIF)



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: Wednesday, July 12 Edition

Date: July 3, 2023

Contact: Olga Grooman, (828) 356-1172

Public Notice

Request for Qualifications (RFQ)

The Town of Waynesville has received the Local Assistance for Stormwater Infrastructure Investment (LASSII) Planning Grant from the American Rescue Plan Act (ARPA) by the NC DEQ. The Town is pleased to announce a Request for Qualifications (RFQ) for professional engineering and grant management services related to comprehensive stormwater master planning. This request for qualifications can be accessed on the Town website: <https://www.waynesvillenc.gov/services/bids>

All the proposals will be received until Wednesday, August 2, 2023, at 4 pm. For more information or to obtain a copy of the RFQ, contact Olga Grooman with the Development Services Department at: (828) 356-1172, email: ogrooman@waynesvillenc.gov, mail: 9 South Main Street, Suite 110, Waynesville, NC 28786.

**RFQ ad in the
Mountaineer**



Stormwater Planning Grant

The Town of Waynesville is seeking proposals from qualified firms (the "Consultant") with expertise in stormwater master planning, capital improvement project (CIP) development and prioritization, GIS modeling, funding identification, as well as grants management consistent with the requirements of various federal, state, and local funding programs. The Town seeks to identify the best qualifying firm to provide professional engineering and grant management services related to comprehensive stormwater master planning. The firm must comply with all federal, state, and local laws and regulations, including Waynesville ordinances and policies. The Consultant must be available to complete all the work and close the grant by the end of 2026.

All proposals will be received until Wednesday, August 2, 2023, at 4 pm. All proposals may be submitted either physically or electronically via email and must be properly identified with "RFQ Waynesville Comprehensive Stormwater Master Plan Submittal". Interested parties should submit their proposals to Olga Grooman electronically at ogrooman@waynesvillenc.gov or in person or by mail at 9 South Main Street, Waynesville, NC 28786.

[The full Stormwater Planning Grant RFQ can be found HERE.](#)

**RFQ posted on the
Town website**



From: postmaster@ad.unc.edu
To: [stormwater](#); [NCPlan mailing list](#)
Subject: Relayed: Stormwater Planning Grant RFQ
Date: Wednesday, July 5, 2023 9:19:10 AM
Attachments: [Stormwater Planning Grant RFQ.msg](#)

Delivery to these recipients or groups is complete, but no delivery notification was sent by the destination server:
stormwater (stormwater@listserv.unc.edu)
NCPlan mailing list (ncplan@listserv.unc.edu)
Subject: Stormwater Planning Grant RFQ

**RFQ posted on
Planing and
Stormwater
listserves**

Select a report filter:

- Solicitation Due Date
- Solicitation Type
- Disaster Related
- Organization
- Project Location
- Opportunity Report

Select an Organization

Town of Waynesville

Select a Project

#5916 Walnut Street/NCDOT Project
 #6053 Professional Engineering and Grant Administration for Comprehensive Stormwater Plan

Show Opportunity

Clear All

Solicitation Information

Due Date: 8/2/2023
Due Time: 4:00PM
Type: Architecture and Engineering
Organization: Town of Waynesville

Project Information

Project Title: #6053 Professional Engineering and Grant Administration for Comprehensive Stormwater Plan
Is this Disaster Related (Preparation, Response, or Recovery)? No
Project Location Address: 9S Main Street, Suite 110, Waynesville, North Carolina 28786
Project Info URL: <http://www.waynesvillenc.gov>

Pre-Solicitation Meeting Information

Is there a meeting? No

Submission Details

Date: 8/2/2023
Time: 4:00PM
Meeting Type:
Virtual Meeting Info:
Onsite Address: 9 S. Main Street, Suite110
Waynesville, North Carolina 28786

Project Contact Information

Name: Olga Grooman
Phone Number: 828-456-8647
Email: ogrooman@waynesvillenc.gov
Website: <http://www.waynesvillenc.gov>

Scope of Work

The Town of Waynesville is seeking proposals from qualified firms with expertise in stormwater master planning and capital improvement development. The Town seeks to identify the best qualified firm to provide grant management and professional engineering related to comprehensive stormwater master planning.

RFQ posted on the Office for Historically Underutilized Businesses (HUB) website





V. Evaluation Criteria

The Town intends to select the best qualified firm based on the following evaluation criteria:

Consultant Criteria
1. Information about the firm is provided.
2. Firm demonstrates project experience of comparable size and complexity.
3. Project team shows experience providing professional services related to stormwater master planning.
4. Firm demonstrates experience to locate, apply, secure, and administer state or federal grants for clients.
5. Firm demonstrates experience and understanding of contracting and reporting requirements under both State and Federal laws.
6. Project team demonstrates expertise in GIS mapping, data collection and analysis.
7. Firm shows experience in conducting public workshops and presentations for Elected or Appointed Boards.
8. Organizational structure of the proposed team: clearly defined roles for personnel and defined lines of communication.
9. Firm demonstrates ability to provide scope of services to the Town of Waynesville in a timely manner and to provide an effective planning document.
10. Firm provides at least three (3) verifiable references with contact information.



Town of Waynesville, NC

Request for Qualifications

**Professional Engineering and Grant Administration Services
for Comprehensive Stormwater Master Plan**

Pursuant to NCGS Chapter 143, Article 3D

Date Issued: 7/05/2023

Response deadline: 8/02/2023

Direct all submissions and inquiries concerning this RFP to:

Olga Grooman, Land Use Administrator

ogrooman@waynesvillenc.gov



Table of Contents

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I. Town of Waynesville

Waynesville is a vibrant and growing town in the Appalachian Mountains of Western North Carolina, about 30 miles west of Asheville. The town is approximately 6.9 square miles and has a population of 10,140 residents. It is the largest town in Haywood County and the County seat.

Every year, Waynesville attracts thousands of visitors looking to explore the mountains, kayak in rapid rivers, swim in scenic lakes, drive along the Blue Ridge Parkway, or visit the Great Smokey Mountains National Park- the most visited national park in the country. Besides natural wonders, Waynesville offers rich arts and food scene along with pedestrian-friendly, historic neighborhoods.

Waynesville is located in the Richland Creek watershed, part of the Pigeon River subbasin of the French Broad River watershed. It provides aesthetic value and high quality water for recreation. Richland Creek supports populations of trout and is managed as a Hatchery Supported Trout Waters by the NC Wildlife Resource Commission (WRC). This creek and its tributaries flow northeast through many heavily developed areas of the town. Richland Creek is currently impaired and on the 303d state list for fecal coliform. Richland Creek Watershed is also one of the US EPA Region IV Restoration Watersheds and is a priority stream for the Tennessee Valley Authority (TVA).

There are several FEMA mapped streams in Waynesville. Many streams within the town carry primary designations as Trout Waters, Class C fishable/swimmable waters, or class B protected waters for recreation. About 21% of the town's properties are in the 100-year floodplain that extends mostly in the northeast to southwest direction. In many areas, the floodplain runs adjacent to the railroad and through densely developed urban areas.

The floodplain also encompasses a sizable portion of Hazelwood, a southern area of Waynesville. In 1995, Hazelwood, a formerly active industrial town, merged with Waynesville. By then, many industries had already left Hazelwood, leaving behind spacious manufacturing sites as well as aging stormwater, water, and sewer infrastructure.

Waynesville holds a National Pollutant Discharge Elimination System (NPDES) permit issued by the NC Department of Environmental Quality (NC DEQ) on August 19, 2021. The Town partners with Haywood Waterways Association to manage its stormwater program. Despite its thorough approach, Waynesville encounters numerous challenges in stormwater management. They include: mountainous topography, flood hazards, rapid urban growth, staffing limitations, insufficient funding, and aging infrastructure.



II. Project Description

Waynesville is seeking proposals from qualified firms (the “Consultant”) with expertise in stormwater master planning, capital improvement project (CIP) development and prioritization, GIS modeling, funding identification, as well as grants management consistent with the requirements of various federal, state, and local funding programs. The Town seeks to identify the best qualifying firm to provide professional engineering and grant management services related to comprehensive stormwater master planning. The firm must comply with all federal, state, and local laws and regulations, including Waynesville ordinances and policies. The Consultant must be available to complete all the work and close the grant by the end of 2026.

The Town has received the Local Assistance for Stormwater Infrastructure Investment (LASSII) Planning Grant from the American Rescue Plan Act (ARPA) by the NC DEQ. The state is currently determining the final amount of funding, with the total grant not to exceed \$400,000. This grant would allow the Town to update its long-term Stormwater Master Plan to include additional system mapping, condition assessment, development of a capital improvement and financial plan, funding needs, as well as a resiliency plan that accounts for growth impacts and the storm drainage infrastructure. The projects identified will address both water quality and water quantity issues that impact Richland Creek, its tributaries, and any impediments to the NPDES compliance.

The project will also focus on aligning the new Stormwater Plan with the Waynesville 2035 Comprehensive Land Use Plan to identify crucial needs for stormwater infrastructure improvements and risk mitigation. The areas that will be assessed for stormwater-related planning and improvement include, but are not limited to, Town facilities and properties, drainage infrastructure (including outfalls, catch basins, and culverts), mitigation measures along impaired streams, recommendations on a stormwater utility fee, and staffing needs for effective stormwater management.

The proposed planning process will involve public education and outreach, public participation, illicit discharge detection and elimination, as well as pollution prevention and good housekeeping for municipal operations. It will also align the Stormwater Master Plan with the Town’s NPDES permit goals. Throughout the process, the Town will look for ways to integrate stormwater education to proposed projects (i.e., community workshops, public hearings, advertisement on social media, Town’s web pages, and local stakeholder involvement). Waynesville will also target projects that connect people to the environment (i.e., water quality parks near greenways and recreational facilities, encourage low impact developments, etc.).

III. Deliverables

The role of the selected firm will be to work with the Waynesville community and the Town to create a 10-Year Comprehensive Stormwater Master Plan. This plan will serve as both a physical plan and policy guide, and it will be used by elected officials and appointed boards, staff, community members, and other stakeholders. The preliminary scope of services is outlined below:

- Meet with staff to review project scope and timeline
- Conduct asset inventory and assessment of existing infrastructure: potential mitigation sites, environmentally sensitive areas, and Town properties
- Field inspection of sites
- Analysis of current conditions: culverts, outfalls, catch basins, other drainage infrastructure
- Data gap analysis, data collection
- Identify stormwater improvements and repairs
- Identify CIP, prioritize, provide cost estimates
- Statement of current conditions and resiliency
- Mapping, database update, reporting, and recommendations
- Create editable GIS maps
- Compile and analyze information
- Plan for stormwater infrastructure replacement and best management practices
- Long-term maintenance plan based on the age and condition of the stormwater infrastructure
- Analysis of future impacts and identification of at-risk structures, areas of future growth, and opportunities for resiliency plan actions
- Assessment of financial needs, stormwater utility fee, and staffing needs
- Identify potential flooding hazards by targeting a wide array of measures including green infrastructure, natural channel design, and engineered drainage infrastructure
- Carry out community outreach meetings, workshops, facilitate public meetings, present plan drafts and findings to the boards and stakeholders
- Review stakeholder feedback, summarize, and incorporate it into the plan
- Develop a final version of the 10-Year Comprehensive Stormwater Master Plan
- The Plan must include CIP, cost estimates, preliminary designs, maintenance plans
- The Plan must include recommendations on effective and sustainable long-term stormwater management, including the potential for a stormwater utility fee and staffing needs identified in the process.

The scope of services may be adjusted based on needs and priorities. More detailed deliverables, expectations, and schedule will be established at the first meeting between the Town staff and selected firm.



IV. Qualification Criteria

Responding firms should be licensed North Carolina Professional Engineers. The proposals shall be no more than 20 pages in total length. Firms will be evaluated in part on the basis of the following criteria:

Firm Information:

- Firm name, address, contact information (phone, email, and website)
- Address of principal office where work will be performed
- Name and information of the individual who will be the Town's primary contact and project manager

Proposed Project Team Qualifications:

- Provide a complete description of project staff and summary that addresses individual roles and responsibilities.
- Provide a resume for each staff member involved in the project. Identify specific roles performed in the past relevant to the deliverables of current project.
- Provide information on your firm's stormwater expertise, ability to manage grants, write comprehensive long-range plans, finish projects within the budget and within the project limits, GIS mapping, experience with public meetings and presentations to the community and a Board of Elected or Appointed Officials, and creation of user-friendly reports and maps.
- Provide a narrative of your firm's prior experience and qualifications. The narrative should contain information on projects similar to a Comprehensive Stormwater Plan. Specifically, list similar projects your firm has conducted for local NC governments with a modest description and timeline for each project.
- Provide a detailed description of the approach and process that your firm would use to complete the tasks for Waynesville. Include potential challenges and concerns.
- State the time your team has to dedicate to Waynesville.

References:

- Provide at least three (3) references that the Town may contact to verify your experience and qualifications related to stormwater planning and grant management. Include name, title, phone numbers, emails, website, and physical address for each reference.



V. Evaluation Criteria

The Town intends to select the best qualified firm based on the following evaluation criteria:

Consultant Criteria
1. Information about the firm is provided.
2. Firm demonstrates project experience of comparable size and complexity.
3. Project team shows experience providing professional services related to stormwater master planning.
4. Firm demonstrates experience to locate, apply, secure, and administer state or federal grants for clients.
5. Firm demonstrates experience and understanding of contracting and reporting requirements under both State and Federal laws.
6. Project team demonstrates expertise in GIS mapping, data collection and analysis.
7. Firm shows experience in conducting public workshops and presentations for Elected or Appointed Boards.
8. Organizational structure of the proposed team: clearly defined roles for personnel and defined lines of communication.
9. Firm demonstrates ability to provide scope of services to the Town of Waynesville in a timely manner and to provide an effective planning document.
10. Firm provides at least three (3) verifiable references with contact information.



VI. Selection Timeline

All the proposals will be received until Wednesday, August 2, 2023, at 4 pm. All proposals may be submitted either physically or electronically via email and must be properly identified with “RFQ Waynesville Comprehensive Stormwater Master Plan Submittal”.

Email proposals: ogrooman@waynesvillenc.gov or deliver to:

Olga Grooman
Development Services
9 S. Main St, Suite 110,
Waynesville, NC 28732

An Ad Hoc Committee consisting of several department representatives of the Town will be selecting the best qualifying firm based on the criteria above. The Committee will determine if interviews are needed in order to finalize selection among top candidates. **Respondents will be contacted by the end of August 2023.** Upon selection, the Consultant will be contacted to meet with staff, finalize the contract, fee structure, and project timeline.

VII. Disclaimers

Late Submissions: Any proposals received after the deadline will not be accepted or considered.

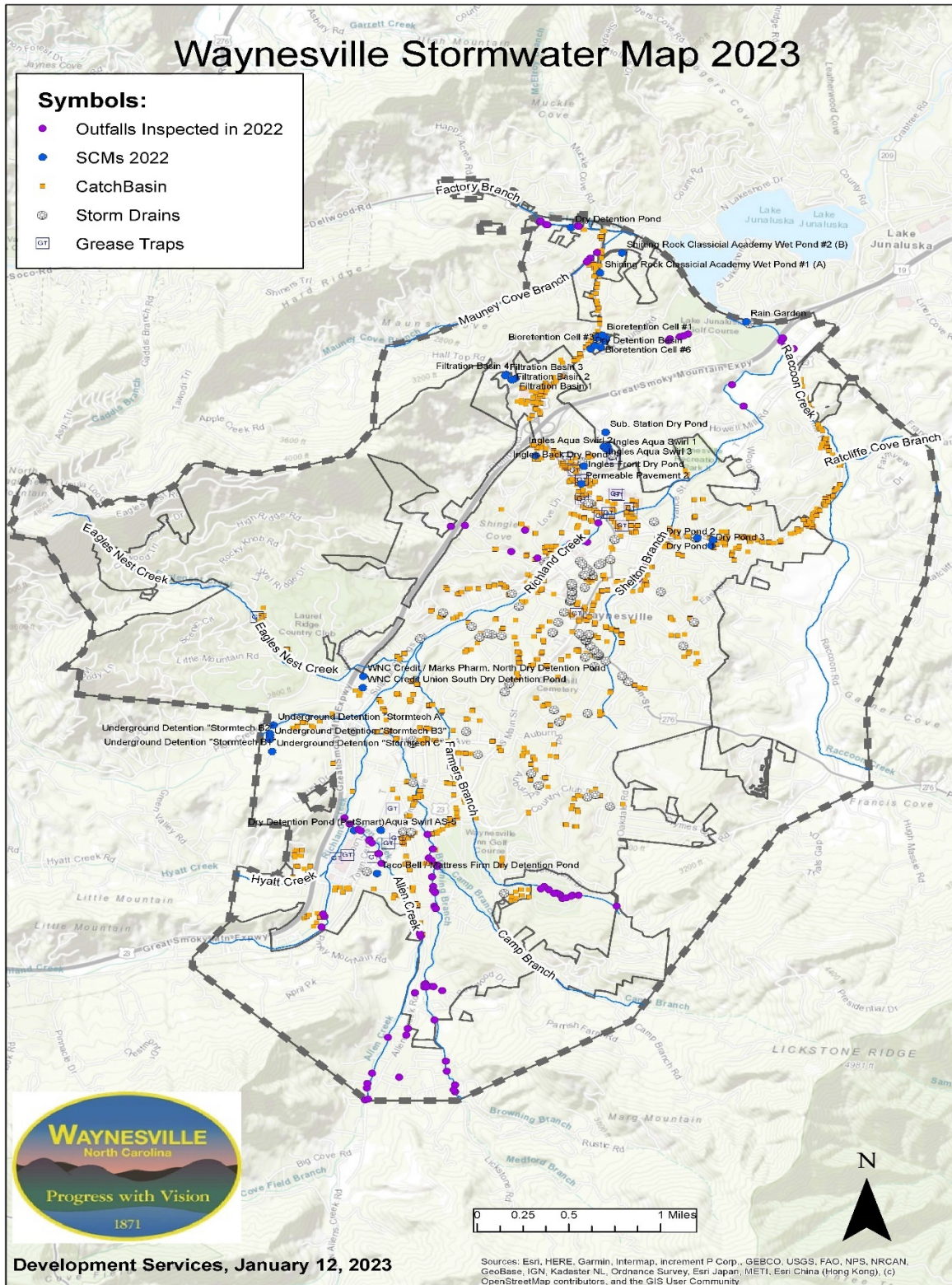
Withdrawal of Proposal: Respondents may withdraw all or any portion of a proposal at any time during and after the review and award process, up to the ratification of an agreement between the Town and the designated firm.

Withdrawal of Request for Proposal: The Town retains at all times the right to cancel or withdraw this RFQ, to refuse to accept a proposal from any respondent and to modify or amend any portion of this RFQ. Notification will be provided to all consultants involved in the process.

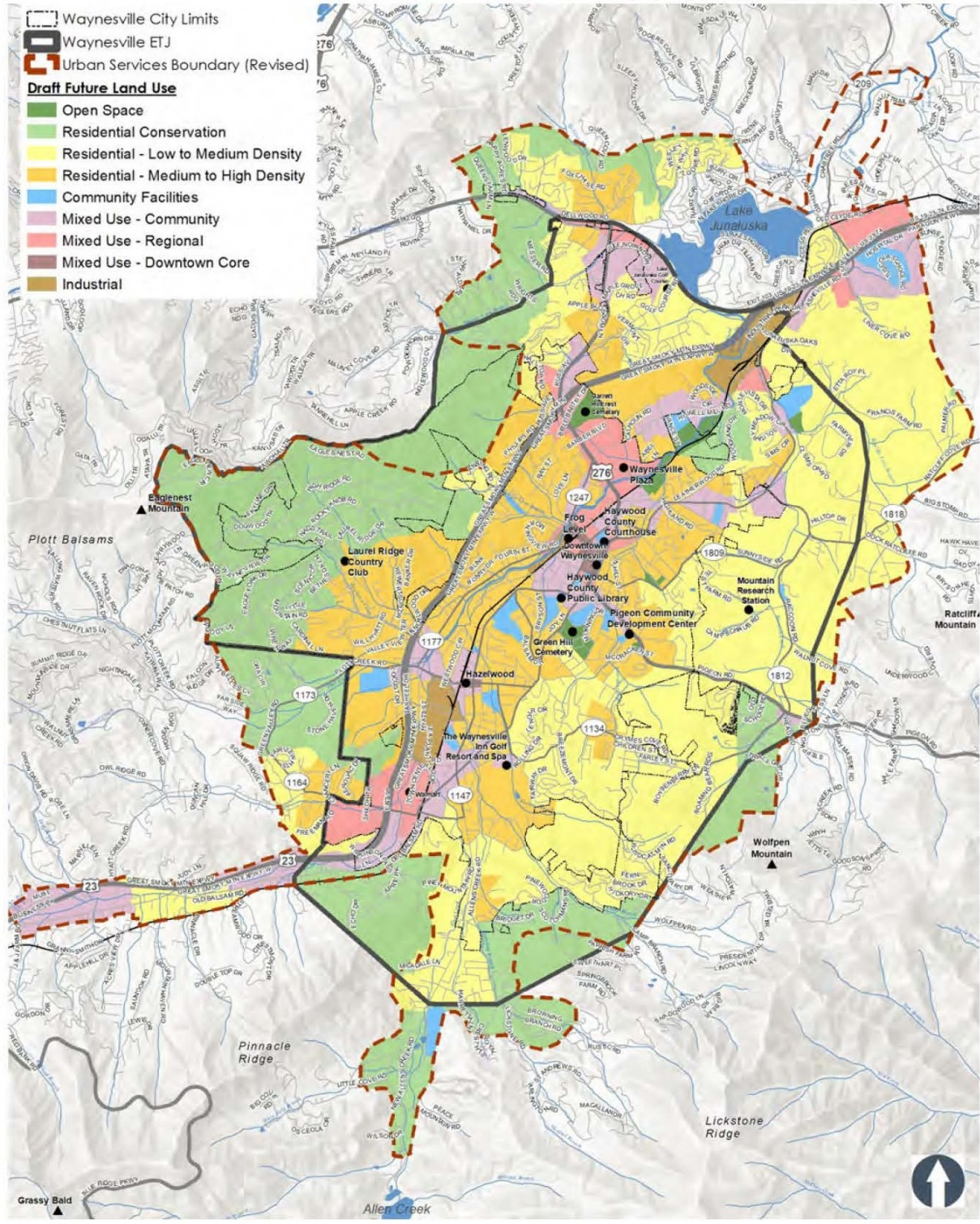
Applicable laws shall apply: The contract awarded shall be governed in all respects by the laws of North Carolina, and the consultant awarded the contract shall comply with applicable Federal, State, and local laws and regulations.

Confidentiality: RFP responses will become public record and therefore are subject to public disclosure.

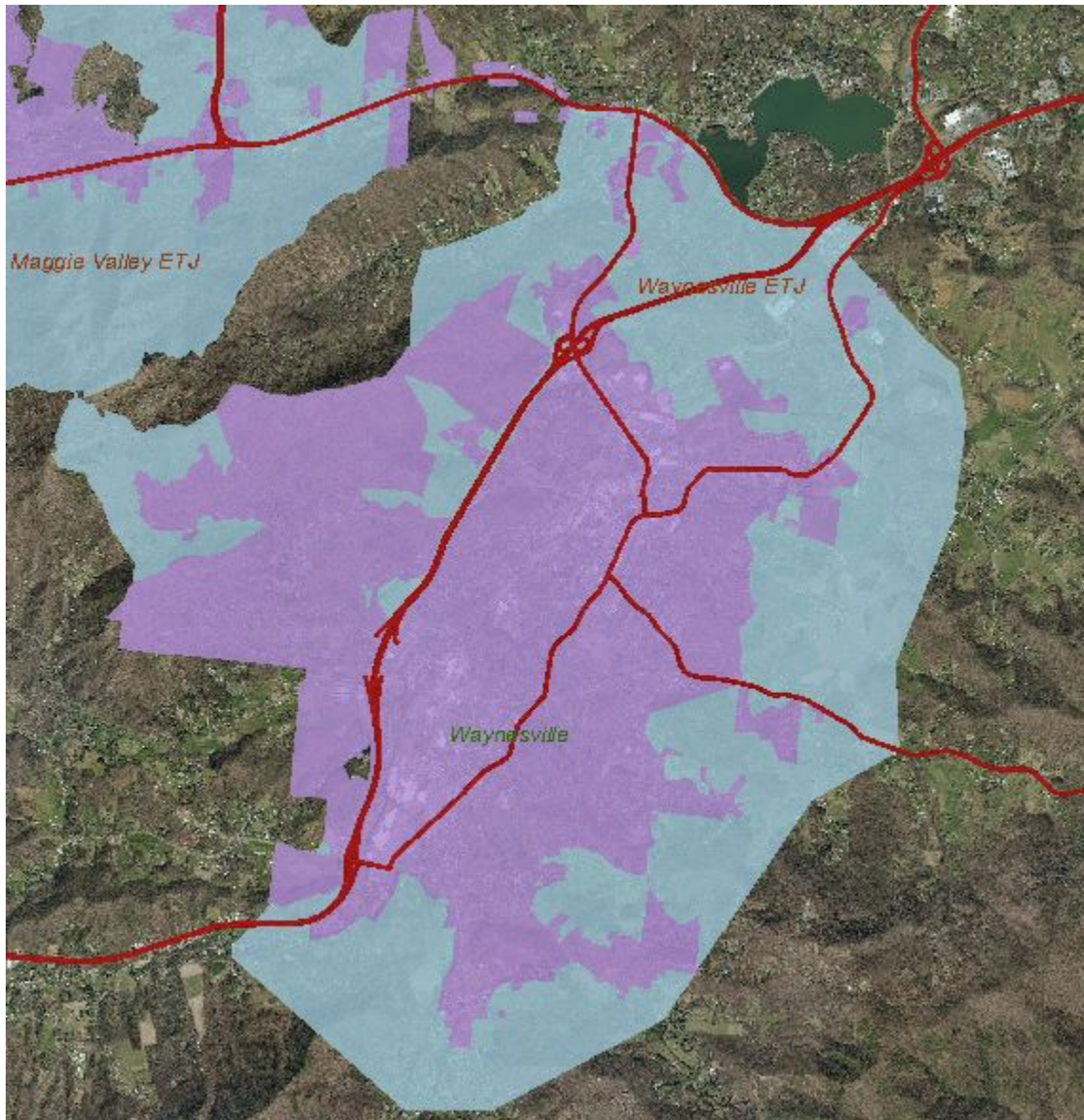
VIII. Attachment A: Waynesville Maps



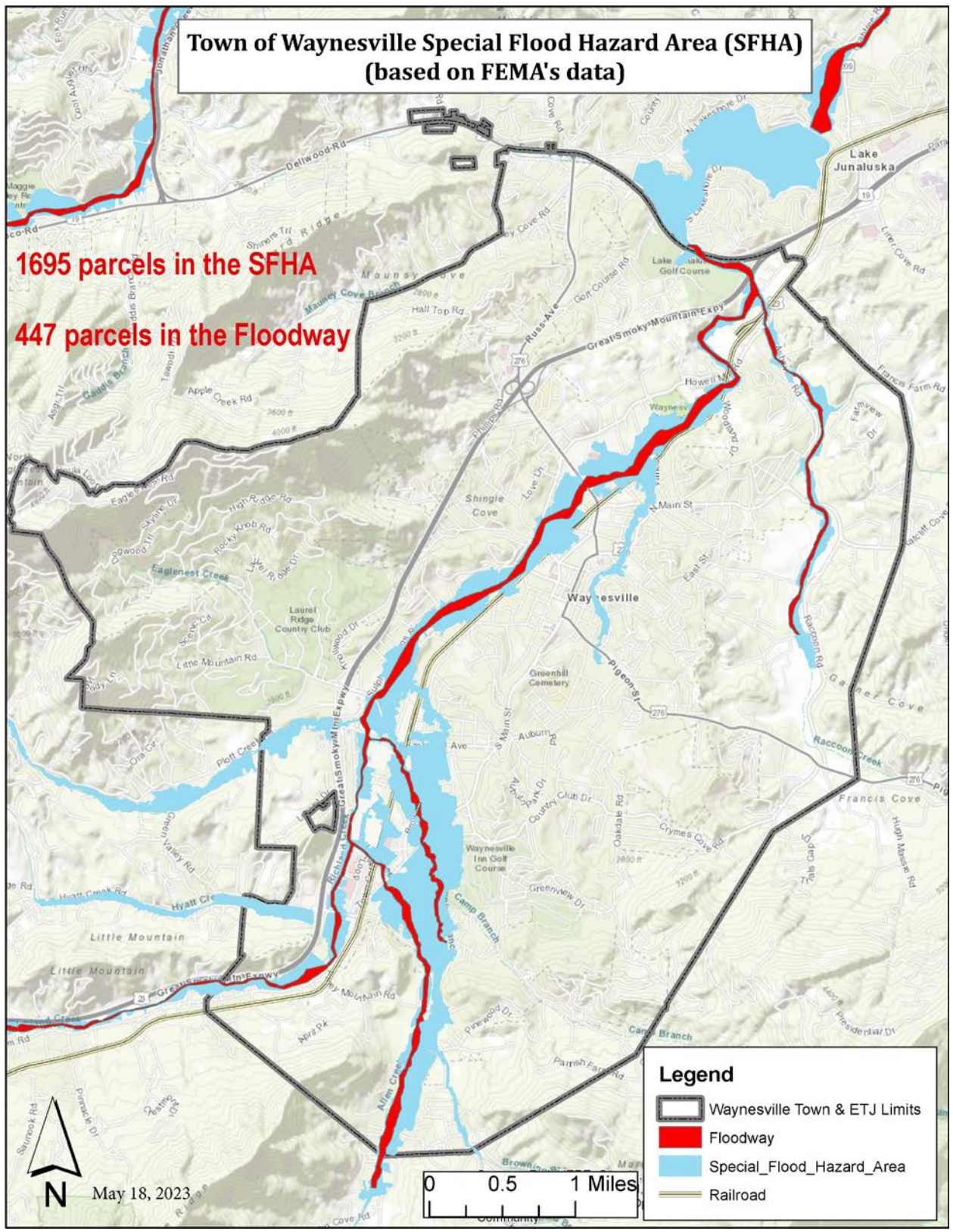
Future Land Use Map



Town of Waynesville Corporate Limits and Extraterritorial Jurisdiction (ETJ)



Haywood County GIS: <https://maps.haywoodcountync.gov/gisweb/default.htm>





STATEMENT OF QUALIFICATIONS

Town of Waynesville

Professional Engineering and Grant Administration Services for
Comprehensive Stormwater Master Plan

July 3, 2023



WithersRavenel

Our People. Your Success.

August 2, 2023

Olga Grooman, MPA, CFM, CZO
Development Services, Town of Waynesville
9 S. Main St., Suite 110
Waynesville, NC 28732



SUBJECT: RFQ FOR PROFESSIONAL ENGINEERING AND GRANT ADMINISTRATION SERVICES FOR COMPREHENSIVE STORMWATER MASTER PLAN

Dear Ms. Grooman:

The Town of Waynesville is a beautiful place to live, work, and play. As the Town continues to grow and thrive, it also attracts new businesses and visitors, putting a strain on its aging infrastructure. A comprehensive stormwater master plan will provide a valuable tool to understand the Town's current system while an accompanying capital improvement and financial plan will tackle funding challenges while addressing system deficiencies and building resiliency.

WithersRavenel is excited by the opportunity to deepen our relationship with Waynesville. In addition to providing stormwater plan review services, we also helped the Town apply for and win LASII funding for this critical plan. Our knowledge of your Town and its stormwater goals will help us hit the ground running with this vital project. By choosing WithersRavenel, the Town will realize the following benefits:

Stormwater master planning and management experience. WithersRavenel has completed many master planning and stormwater management projects for clients throughout the state, many of them supported by grant funding. Please see our project examples for municipalities such as Morrisville, Hendersonville, Oxford, Biltmore Forest, and Indian Trail, which illustrate our experience and commitment to client success. Our expertise with stormwater master plans will help us fully satisfy your scope of services, and our availability will allow us to start on your project as soon as we receive your Notice to Proceed.

The benefits of a multidisciplinary engineering firm. In addition to stormwater engineering, WithersRavenel provides a variety of in-house services, including GIS, grant funding and administration, asset management, surveying, utilities engineering, and financial services. These supporting departments and employees have worked on a variety of stormwater planning initiatives, developing expertise they will bring to Waynesville's project. These capabilities will allow us to complete this project in-house without the need of subconsultants, which will help the project run smoothly and stay on schedule.

Navigating the funding process and securing the future of your assets. Our engineering, planning, and design professionals are backed by our funding and asset management team, which includes a dedicated group wholly focused on identifying, applying for, and administering no-cost/low-cost funds on behalf of clients. Not only have we secured more than \$942 million for public clients, we also have the long-range perspective to help the Town pursue capital improvement projects that will increase resiliency and sustainability while reducing future operational and maintenance costs.

Thank you for considering our submittal. If you have any questions or would like more information, please contact us.

Sincerely,
WITHERSRAVENEL, INC.

A handwritten signature in black ink that reads 'Amanda Hollingsworth'.

Amanda Hollingsworth, PE, CFM
Project Manager, Primary Contact
919-678-3841
ahollingsworth@withersravenel.com

A handwritten signature in blue ink that reads 'Steve Marks'.

Steve Marks, PE, CFM
Director of Stormwater, QA/QC Manager
919-238-0482
smarks@withersravenel.com

OUR PEOPLE YOUR SUCCESS.

WithersRavenel, headquartered in Cary, is an Employee Stock Ownership Plan (ESOP) company. Our more than 400 employee-owners excel at providing consulting services for our clients.

Founded in October 1983 as Withers & Ravenel, Inc., WithersRavenel is equipped with more than 39 years of serving an array of clients and projects through innovative and cost-effective engineering solutions across North Carolina.

OUR STORMWATER PLANNING SERVICES

WithersRavenel has addressed the need for watershed and master planning at every scale and level of government, from small projects targeting a specific drainage issue to master planning for an entire drainage basin or town, and from Phase I and Phase II NPDES communities to small communities with no mandated program requirements.

MASTER PLANNING

For a community, understanding the totality of its stormwater system starts with great data. Once it has all the information, a Town can prioritize and plan repairs, make funding decisions and investments, and manage its assets wisely.

GIS EXPERTISE

Your stormwater planning starts with great data on your system. Trust WithersRavenel to take your existing information and fill in the gaps, providing an update that truly informs to better your stormwater network.

CAPITAL IMPROVEMENT PLAN (CIP) CONSULTATION

With assistance from our finance and funding professionals, WithersRavenel can help municipalities better understand their finances as they relate to stormwater repairs. Capital Improvement Planning consultation can also help target grant and loan pursuits.

PROJECT CONTACT

Amanda Hollingsworth, PE, CFM
115 Mackenan Drive
Cary, NC 27511
919-678-3841
ahollingsworth@withersravenel.com

LOCAL OFFICE

WithersRavenel
84 Coxe Avenue, Suite 260
Asheville, NC 28801
828-255-0313
www.withersravenel.com



LOCATION OF OFFICES

In addition to our Cary headquarters, WithersRavenel maintains seven branch locations:

- » Asheville
- » Charlotte
- » Greensboro
- » Pittsboro
- » Raleigh
- » Southern Pines
- » Wilmington

This project will be performed primarily from our Asheville office and Cary headquarters with support from our other offices.

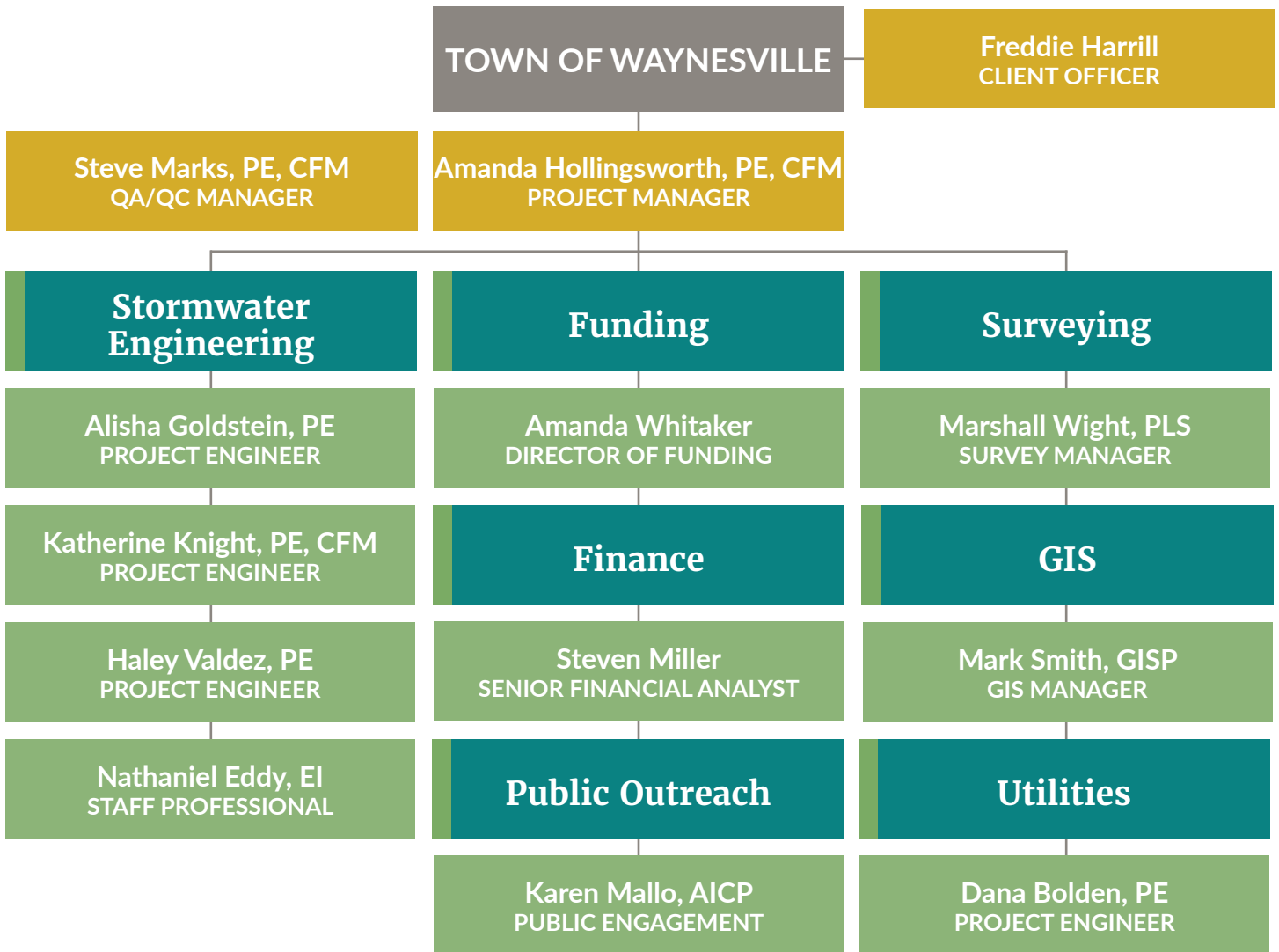
SERVICES PROVIDED

- » Asset Management
- » Design & Planning
- » Economic Development
- » Environmental
- » Funding & Finance
- » Geographic Information Systems
- » Land & Site Development
- » Parks & Recreation
- » Public Engagement
- » Remote Sensing
- » Stormwater
- » SUE
- » Surveying & Geomatics
- » Transportation
- » Water & Sewer Utilities

Proposed Project Team Qualifications

ORGANIZATIONAL CHART YOUR TEAM

Each of the WithersRavenel team members proposed for this contract are available immediately and committed to fulfilling their duties through the duration of this on-call professional engineering services contract. Should additional personnel be required for any project, WithersRavenel has ample staff to meet those needs, including 400+ personnel at offices across the state that can be mobilized on short notice.



FREDDIE HARRILL • CLIENT OFFICER

“Our People, Your Success” are not mere words for us—we go above and beyond through value-added approaches that we bring to our clients and projects. One way we put this philosophy into practice is a Client Officer, which is a complimentary service and will give this contract the attention it deserves. As Client Officer, Mr. Harrill will routinely check in with you to ensure all milestones are being met and address any concerns or questions the Town may have.

Proposed Project Team Qualifications

SUMMARY OF TEAM ROLES

As Project Manager, **Ms. Hollingsworth** will define project scope, goals, and deliverables and execute the project according to the contract, particularly with regard to schedule and budget. She will coordinate the efforts of team members, including monitoring the project for schedule and budget adherence, while also providing design leadership. She will also communicate regularly with the client.

As Client Officer, **Mr. Harrill** will act as a liaison between the client and the project team. He will have periodic check-ins with the client to verify that all project milestones are met, address any concerns or questions the client may have, and ensure the team is continually maintaining the highest standards of service and quality.

As QA/QC Manager, **Mr. Marks** will be responsible for the implementation of WithersRavenel's quality management policies and procedures. He will work to confirm that reports, design drawings, and other documents conform to the quality and efficiency standards set by WithersRavenel.

As Project Engineers, **Ms. Goldstein, Ms. Knight, and Ms. Valdez** will prepare existing and proposed models and project documentation. They complete design tasks to fulfill project goals and prepare deliverables according to industry best practices and in client-approved format(s). As a Stormwater Staff Professional, **Mr. Eddy** will also assist with these tasks.

As Senior Financial Analyst, **Mr. Miller** will be responsible for developing financial models and budgets as they pertain to the Comprehensive Stormwater Master Plan. He will assess

Town financial needs and utility fee analysis while also leading the financial portion of CIP development.

Ms. Whitaker, WithersRavenel's Director of Funding, will lead the grant administration services for this project. She will provide assurance that the WithersRavenel team and the Town of Waynesville is in compliance with any requirements tied to the funding for this project. She will assure that all deadlines are met and that funding is managed wisely.

Ms. Mallo will lead WithersRavenel's Public Engagement for this project. A certified Planner, she will coordinate both in-person and any survey or website communication components along with compiling and analyzing opinions gathered.

As GIS Manager, **Mr. Smith** will be responsible for organizing and executing the GIS component of this project. He will coordinate GIS tasks for the office team as well as the field collection and assessments.

As Survey Manager, **Mr. Wight** will coordinate surveying activities and ensure the collection of all relevant field data. This surveying will identify all permanent objects that may affect construction. He will create topographic maps of the project; he will also review local records to determine the location of easements and prepare easement maps where necessary.

As Utilities Engineer, **Mr. Bolden** will assist on an as-needed basis with any water or wastewater engineering issues that arise. **A native and resident of Haywood County, he can also provide services as a liaison and be on-site quickly to assist with any emergency circumstances.**





Proposed Project Team Qualifications



AMANDA HOLLINGSWORTH, PE, CFM

Project Manager

Ms. Hollingsworth is a committed project manager with a sharp focus on client satisfaction. She is a water resources specialist focusing on hydrologic and hydraulic modeling for use in stormwater infrastructure design, watershed and master planning, stormwater and floodplain management, scour assessment, and FEMA coordination for departments of transportation, municipalities, and private developers. She is proficient with hydrologic and 1D and 2D hydraulic modeling software, HEC-RAS, HEC-2, HEC-HMS, XPSWMM, PCSWMM, InfoWorks ICM, HY-8, StormCAD, CulvertMaster, FlowMaster, ArcGIS, Microstation, and AutoCAD.

EDUCATION

- » M.S., Environmental Engineering, Johns Hopkins University
- » B.S., Environmental Engineering, Johns Hopkins University

LICENSURE

- » Professional Engineer: NC, #049218
- » Certified Floodplain Manager: NC, #18-0719

PROJECT EXPERIENCE

- » On-Call Stormwater Plan Reviews, Waynesville, NC. Project Engineer
- » Stormwater Master Plan, Oxford, NC. Project Manager
- » Golden LEAF Stormwater Master Plan, Selma, NC. Project Manager
- » Golden LEAF Stormwater Master Plan, Maxton, NC. Project Manager
- » Watershed Master Plan, Red Springs, NC. Project Engineer
- » Watershed Management Plan, Indian Trail, NC. Project Engineer
- » Watershed Street Drainage Improvements, Swansboro, NC. Project Manager
- » Stormwater Master Plan Phase I, Elizabethtown, NC. Project Engineer



STEVE MARKS, PE, CFM

QA/QC Manager

Mr. Marks is WithersRavenel's Director of Stormwater. He is a veteran stormwater and environmental engineer, with more than 16 years of project experience. Areas of expertise include coastal resiliency and surge modeling, stormwater design, watershed master planning, stream and wetland restoration, hydrologic and hydraulic modeling, FEMA floodplain permitting, residential storm drainage design, GIS analysis and mapping, enterprise software development, dam break analysis and EAP and project management. He is committed to client communication, community engagement, and customer service.

EDUCATION

- » B.S., Civil Engineering, North Carolina State University

LICENSURE

- » Professional Engineer: NC, #039751
- » Certified Floodplain Manager: NC, #11-0439

PROJECT EXPERIENCE

- » On-Call Stormwater Plan Reviews, Waynesville, NC. Project Manager
- » WWTP Levee Repair, Maggie Valley, NC. Project Manager
- » Stormwater Master Plan Update, Dare County, NC. Project Manager
- » Stormwater Master Plan, Morrisville, NC. QA/QC Manager
- » Stormwater Master Plan, Trent Woods, NC. QA/QC Manager
- » Stormwater Master Plan Phase I, Elizabethtown, NC. Project Manager
- » DWI Stream Restoration, Biltmore Forest, NC. Project Manager
- » Watershed Master Plan, Red Springs, NC. Project Manager



Proposed Project Team Qualifications



ALISHA GOLDSTEIN, PE

Project Engineer

Ms. Goldstein is a seasoned stormwater engineer with a variety of experiences as a private consultant, municipal government employee, federal government reviewer, and academic researcher. She has acted as a municipal reviewer and a third-party reviewer for stormwater plans and permits across multiple jurisdictions. While working for the Town of Chapel Hill, she co-authored the MS4 annual report. Ms. Goldstein is committed to regulatory compliance and client communication. She is proficient in a variety of programs, including EPA SWMM, ArcGIS, HEC-RAS, HydroCAD, TR-55, AutoCAD, and Bluebeam Studio.

EDUCATION

- » M.S., Civil Engineering (Water Resources), Drexel University
- » B.S., Earth and Environmental Engineering, Columbia University

LICENSURE

- » Professional Engineer: NC, #049642

PROJECT EXPERIENCE

- » On-Call Stormwater Plan Reviews, Waynesville, NC. Project Engineer
- » WWTP Levee Repair, Maggie Valley, NC. Project Engineer
- » Stormwater Master Plan Update, Dare County, NC. Project Engineer
- » Watershed Management Plan, Indian Trail, NC. Project Engineer
- » Golden LEAF Stormwater Master Plan, Selma, NC. Project Engineer
- » On-Call Stormwater Plan Reviews, Clayton, NC. Project Engineer
- » Golden LEAF Stormwater Master Plan, White Lake, NC. Project Engineer
- » Golden LEAF Stormwater Master Plan, Maxton, NC. Project Engineer



KATHERINE KNIGHT, PE, CFM

Project Engineer

Ms. Knight is a stormwater engineer who develops designs for a variety of municipal, civil site development, transportation, and residential development projects. Her experience ranges from master planning to individual SCMs. She has also worked with numerous municipalities to assess their Phase II MS4 Programs and to develop plans for program compliance.

EDUCATION

- » B.S., Biosystems Engineering, Clemson University

LICENSURE

- » Professional Engineer: NC, #055471
- » Certified Floodplain Manager: NC, #22-0864

PROJECT EXPERIENCE

- » On-Call Stormwater Plan Reviews, Waynesville, NC. Project Engineer
- » Stormwater LASII Application, Waynesville, NC. Project Engineer
- » Stormwater Master Plan Update, Dare County, NC. Project Engineer
- » Stormwater Master Plan, Hertford, NC. Project Engineer
- » Stormwater Master Plan Phase I, Elizabethtown, NC. Project Engineer
- » Stormwater MS4 Consulting, Newton, NC. Project Engineer
- » Swannanoa Greenway, Asheville, NC. Project Engineer
- » North Church Street Culvert Improvements, Clayton, NC. Project Engineer
- » Stormwater MS4 Consulting, Hope Mills, NC. Project Engineer
- » Stormwater MS4 Consulting, Morganton, NC. Project Engineer



Proposed Project Team Qualifications



HALEY VALDEZ, PE

Project Engineer

Ms. Valdez is a stormwater professional with more than five years of experience designing stormwater management infrastructure including ponds, bioswales, sand filters, and roadside drainage systems. She has performed field inspections of stormwater management facilities providing documentation and classification of existing conditions to facility owners. Inspections included review of as-built plans to determine design goals of the facility and evaluation of inflows, controls structures, pond embankments and outfalls for functionality and hazard potential. Her software proficiency includes WinTR20, WinTR55, HY-8, HEC-RAS, HEC-RAS 2D, HEC-1, TUFLOW, SMS, Flowmaster, Microstation, InRoads, Storm and Sanitary, and ArcGIS.

EDUCATION

- » B.S., Biological Engineering, Penn State University

LICENSURE

- » Professional Engineer: NC, #055145

PROJECT EXPERIENCE

- » On-Call Stormwater Plan Reviews, Waynesville, NC. Project Engineer
- » Stormwater LASII Application, Waynesville, NC. Project Engineer
- » WWTP Levee Repair, Maggie Valley, NC. Project Engineer
- » Stormwater Master Plan, Oxford, NC. Project Engineer
- » Stormwater Master Plan Update, Dare County, NC. Project Engineer
- » Watershed Management Plan Indian Trail, NC. Project Engineer
- » On-Call Stormwater Plan Reviews, Clayton, NC. Project Engineer



NATHANIEL EDDY, EI

Stormwater Staff Professional

Mr. Eddy is a stormwater professional with a variety of project experience for both public and private clients. In addition to his work on stormwater design, he has specific project experience with stream restoration, bank stabilization, drainage channel design, resilience, FEMA projects, watershed protection, master planning, and dams. His technical skills involve work with Civil 3D, ArcGIS, HEC-RAS, Bentley CivilStorm, and Bentley PondPack.

EDUCATION

- » B.S., Biological and Agricultural Engineering, North Carolina State University

LICENSURE

- » Engineer Intern: NC, #A-30021

PROJECT EXPERIENCE

- » WWTP Levee Repair, Maggie Valley, NC. Staff Professional
- » Watershed Master Plan, Red Springs, NC. Staff Professional
- » Stormwater MS4 Consulting, Trinity, NC. Staff Professional
- » On-Call Stormwater Plan Reviews, Clayton, NC. Staff Professional
- » Stormwater Master Plan Update, Dare County, NC. Staff Professional
- » Stormwater Master Plan, Trent Woods, NC. Staff Professional
- » Phillips Pond Dam, Cary, NC. Staff Professional
- » Jump and Run Branch Study, Salisbury, NC. Staff Professional
- » Project Butter, Goldsboro, NC. Staff Professional



Proposed Project Team Qualifications



AMANDA WHITAKER ■ Director of Funding

Ms. Whitaker's experience is concentrated in grant writing, grant administration, and community and economic development projects. She has successfully written and administered grants for projects all over North Carolina for public infrastructure, economic development, housing rehabilitation, parks and recreation, and downtown revitalization.

PROJECT EXPERIENCE

- » Stormwater LASII Application, Waynesville, NC. Project Manager
- » CDBG-Infrastructure Grant Administration, Lowell, NC. Funding Specialist
- » Resiliency Consulting and Grant Services, New Bern, NC. Project Manager
- » Water Asset Inventory and Assessment (AIA) Grant, Pinebluff, NC. Project Manager
- » Bil-Hen Pump Station and Gravity Sewer Replacement, Troy, NC. Funding Specialist

EDUCATION

- » M.P.A., Community and Economic Development concentration, UNC Greensboro
- » B.A., Political Science, North Carolina State University



STEVEN MILLER ■ Senior Financial Analyst

Mr. Miller's background and experience provide a unique perspective for planning and financing capital improvements. He is able to analyze past trends and forecast key variables that influence the client's ability to fund and finance projects, which are linked to enterprise operations or tax base. His public sector work has included financial analyses, models, capital planning, economic analysis, and rate studies.

PROJECT EXPERIENCE

- » Utility Billing Records Review, Waynesville, NC. Senior Financial Analyst
- » Stormwater Fee Development, Hendersonville, NC. Senior Financial Analyst
- » Stormwater CIP and Financial Analysis, Cramerton, NC. Project Manager
- » Stormwater Fee Analysis, Bessemer City, NC. Project Manager
- » Stormwater Financial Services, Biltmore Forest, NC. Senior Financial Analyst

EDUCATION

- » M.B.A., Finance, New Venture, and Logistics, University of Tennessee
- » B.S., Management and Finance, New York University



KAREN MALLO, AICP ■ Public Outreach

Ms. Mallo's expertise includes ordinance creation and revision, municipal plan review, as well as the research, analysis, engagement, and preparation of comprehensive plans and small area studies. She has thorough knowledge of planning legislation and experience presenting at public meetings and hearings. She is well-versed in community engagement techniques, workshops, and public education methods.

PROJECT EXPERIENCE

- » Stormwater Master Plan Update, Dare County, NC. Public Engagement
- » Stormwater and Resiliency Consulting Services, New Bern, NC. Public Engagement
- » Watershed Analysis and Downtown Master Plan, Indian Trail, NC. Public Engagement
- » Land Use Update and Comprehensive Plan, Maggie Valley, NC. Project Manager
- » Zoning Ordinance Update and Chapter 160D, Sylva, NC. Project Manager

EDUCATION

- » M.C.R.P., City and Regional Planning, Clemson University
- » B.S., Environmental Planning and Design, Rutgers University

LICENSURE

- » American Institute of Certified Planners: NC, #100214



Proposed Project Team Qualifications



MARSHALL WIGHT, PLS ■ Survey Manager

Mr. Wight is a surveyor and survey project manager with a background in conventional and GPS field procedures, research, and data processing. He performs boundary topographic surveys; bathymetric surveys; boundary resolution; as-built; monitoring; planimetric and topographic mapping, recombination, right-of-way dedication, and easement mapping. He also specializes in remote sensing technologies.

PROJECT EXPERIENCE

- » WWTP Levee Repair, Maggie Valley, NC. Surveyor
- » Flood Control Project, Wake County, NC. Surveyor
- » Church and King Street Water and Sewer, Hendersonville, NC. Surveyor
- » Community Center Building Storm Drainage, Marion, NC. Surveyor
- » Town Survey Services, Black Mountain, NC. Project Manager

EDUCATION

- » B.S., Agriculture Environmental Technology North Carolina State University

LICENSURE

- » Professional Land Surveyor: NC, #L-5034



MARK SMITH, GISP ■ GIS Manager

Mr. Smith is a GIS Project Manager and is responsible for execution of projects which include the supervision and management of people, resources, and clients. This includes mobilizing office and field staff for data collection, data conversion, data management, and providing quality control/quality assurance on deliverables. Prior to joining WithersRavenel, Mr. Smith acquired 17 years of GIS Consultant experience serving government clients.

PROJECT EXPERIENCE

- » Stormwater Master Plan, Trent Woods, NC. GIS Manager
- » Stormwater GIS Update, Hope Mills, NC. Project Manager
- » Stormwater GIS Asset Plan, Lexington, NC. Project Manager
- » Stormwater GIS Mapping Phase 5, Jamestown, NC. Project Manager
- » Stormwater and Resiliency Consulting Services, New Bern, NC. GIS Manager

EDUCATION

- » M.S., Natural Resources and Spatial Information Systems, North Carolina State University
- » B.S., Forestry and Wildlife Resources, Virginia Tech

LICENSURE

- » GIS Professional: NC, #90158



DANA BOLDEN, PE, CFM ■ Utilities Engineer

Mr. Bolden is a native and resident of Haywood County. He is a longtime professional engineer with more than 30 years of experience. His background includes project management and design for a range of water, sewer, stormwater, roadway, and site development projects.

PROJECT EXPERIENCE

- » Clyde Street Water Improvements, Franklin, NC. Project Manager
- » Johnson Arch Road Water and Sewer Replacements, Eastern Band of Cherokee Indians, Cherokee, NC. Project Manager
- » WWTP Levee Repair, Maggie Valley, NC. Project Engineer
- » SRF Sewer Rehabilitation and Replacement, Tryon, NC. Project Engineer

EDUCATION

- » B.S., Biological and Agricultural Engineering, North Carolina State University

LICENSURE

- » Professional Engineer: NC, #028945
- » Certified Floodplain Manager: NC, #19-0788

Proposed Project Team Qualifications

STORMWATER EXPERTISE

WHY CHOOSE WITHERSRAVENEL?

Aging infrastructure and intensifying storms make managing stormwater runoff volumes and restoring function within impaired watersheds increasingly challenging, particularly in urban areas. One of the things that sets WithersRavenel apart from other firms is our in-house, dedicated stormwater engineering department.

LONG-RANGE PLANNING

WithersRavenel has provided a variety of stormwater and watershed master plans, analyses, and updates to communities across North Carolina. Many of these projects are funded wholly or partially with grants. For details on our specific work, see the project examples on **Pages 13-16**.

STAYING WITHIN BUDGET

WithersRavenel uses an accounting software system specifically designed for professional services firms. Each employee records their chargeable time through the timesheet entry process; accounting then captures that time and posts it to the billable project. The Project Manager tracks billable time on a weekly basis as the project progresses, which can be used to recognize trends early in the project that could lead to schedule or budget overruns. Our system ensures that invoices accurately reflect every billable dollar, and that project chargeable costs are properly billed to the client.

GIS MAPPING

WithersRavenel helps clients strengthen an existing database or create a database from scratch by locating structures in the field and recording materials, sizes, conditions, inverts, and other key data. Our field crews use survey-grade GNSS/GPS equipment to locate above-ground utility assets, which is more accurate in both horizontal and vertical locations. This high-grade equipment provides a better mapping product deliverable and maximizes the use of the data across departments.

PUBLIC MEETINGS

Planning efforts are enriched and strengthened when all members of a community, such as those in Waynesville, come together to build something. Our process for participation is highly inclusive and involves engaging a wide cross-section of stakeholders. We utilize many tools in community outreach, such as community workshops and open houses, online surveys, social media, websites, and stakeholder and focus groups.



OUR SERVICES

- » Master Planning
- » Stormwater Management
- » Green Infrastructure and Low Impact Design
- » Grant and Loan Funding
- » Floodplain Management
- » Dam Design and Rehabilitation
- » Stormwater Infrastructure Retrofits
- » Watershed Planning
- » GIS/Data Collection
- » Impervious Surface Data Collection and Assessment
- » Stormwater Utility Fee and Structure Assessments
- » Financial Analysis
- » Operational Efficiency and Optimization Studies
- » Operations Assessment and Strategy
- » Stakeholder Engagement/Facilitation

USER-FRIENDLY REPORTS

Deliverables should accomplish a project's goals while also being easy to use and understand. We pride ourselves on our ability to create valuable products for our clients that communicate clearly, effectively, and stylishly. Additionally, we provide clients with opportunities to comment on deliverables and request edits as needed.

Proposed Project Team Qualifications

FUNDING EXPERTISE

OUR CAPABILITIES AND RECENT STORMWATER FUNDING

WithersRavenel’s team of dedicated funding consultants can assist local governments in navigating the often complex and intricate details involved in applying for, securing, and administering grants and other types of funding for essential planning and infrastructure projects. **We have helped communities across the state secure more than \$942 million in critical funding.**

Our team locates funding sources and determines the most applicable programs for each project and prepares the funding application, ensuring that the process is compliant with specific agency requirements. Our team includes staff who have managed project applications for numerous programs, including the following:

- » FEMA Building Resiliency Infrastructure and Communities (BRIC)
- » NC Land and Water Fund Flood Risk Reduction

- » NCDEQ’s Division of Water Infrastructure’s Local Assistance for Stormwater Infrastructure Investments (LASII) Fund,
- » State Revolving Loan Funds, NC Additional Supplemental Appropriations for Disaster Relief Act (ASADRA)
- » Golden LEAF’s Flood Mitigation Program

Our team is accustomed to handling complex funding requirements, including navigating the various compliance rules for each program, managing multiple deadlines, and coordinating with multiple individuals at the agency level. We are constantly tracking emerging funding opportunities and engage frequently with agency representatives to obtain the most relevant information.

Below is a table of some recent stormwater-related funding applied for and obtained by WithersRavenel’s team to benefit North Carolina communities.

MUNICIPALITY	PROJECT	FUNDING PROGRAM	AMOUNT
Black Mountain	North Bank Swannanoa River	DWI LASII	\$5,400,000
Dunn	Juniper Creek	DWI LASII	\$490,340
Elizabethtown	Stormwater Master Plan	Golden LEAF Flood Mitigation	\$132,000
Hertford	Climate Vulnerability Assessment	FEMA BRIC	\$132,000
Hertford	Stormwater Master Plan	Golden LEAF Flood Mitigation	\$90,000
Maggie Valley	Wastewater Treatment Plant Levee	NCEM	\$338,000
Maxton	Stormwater Assessment and Plan	Golden LEAF Flood Mitigation	\$122,500
Morganton	Stormwater AIA/Master Plan	DWI LASII	\$400,000
Nashville	Metropolitan Service District	USDA RBDG	\$37,500
Navassa	Flood Mitigation	NCEM	\$460,000
New Bern	Duffyfield Stormwater	DWI LASII	\$4,549,360
New Bern	Henderson Park	NCLWF Innovative Stormwater	\$150,000
Oxford	Stormwater Master Plan	Golden LEAF Flood Mitigation	\$125,000
Selma	Flood Mitigation Modeling	Golden LEAF Flood Mitigation	\$137,000
Siler City	Stormwater Utility	DWI LASII	\$500,000
Swansboro	Stormwater Master Plan	DWI LASII	\$400,000
Waynesville	Stormwater Master Plan	DWI LASII	\$400,000

Proposed Project Team Qualifications

PROJECT EXAMPLES

Stormwater Master Plan

BILTMORE FOREST, NC

WithersRavenel prepared a Stormwater Master Plan for the Town of Biltmore Forest. The Town streets are designed in a curvilinear fashion to navigate stormwater off the roads and into road shoulders and swales where they would naturally dissipate. As a result, there is no curb and gutter system in the Town that specifically controls and collects stormwater.

The existing system was evaluated for capacity based on a watershed analysis and also for condition based on field evaluation. We utilized existing GIS data and augmented it with field verification. A hydrologic watershed model for the system has been developed to identify critical areas. The stormwater assessment analysis documented deficiencies in condition of the storm drain network as well as deficiencies in capacity for flood control and made recommendations for improvement.

The proposed improvements were prioritized based on input from the Town. Our team worked with the Town to document

PROJECT TIMELINE

January 2018-January 2020

KEY FEATURES

- » Stormwater Master Plan
- » Hydrologic Modeling
- » Capital Improvement Plan
- » Identifying Deficiencies

a realistic strategy for scheduling related capital projects and investments identified in the Master Plan.

The overall deliverable was a report that provides prioritized improvement recommendations with considerations for public safety, feasibility, and cost for the Town's CIP while recognizing the Town's historic approach to managing stormwater.

Wash Creek Master Plan

HENDERSONVILLE, NC

The Wash Creek Watershed hosts some of the City's oldest infrastructure. WithersRavenel worked closely with the City to develop a Stormwater Master Plan for the watershed as a pilot program with plans to ultimately expand to the entirety of the City's stormwater infrastructure and watersheds. The main goals of the stormwater master plan were to develop a database and map of stormwater infrastructure, identify areas of concern, and provide prioritization recommendations along with budgetary cost opinions.

The project began with analyzing existing GIS information and identifying gaps in data. This paved the way for the field reconnaissance and assessment of all stormwater structures and conveyance features. Our team gathered survey information for all structures, made visual assessment as to the condition, and documented field work with photographs. All the information was then digitized in the GIS database.

With the field information and feedback from the City, we were able to identify potential project areas. These areas were

PROJECT TIMELINE

May 2018-June 2019

KEY FEATURES

- » Stormwater Master Plan
- » Capital Improvement Plan
- » Identifying Project Areas
- » GIS Assessment and Filling Gaps

then analyzed for capacity and functionality. From there, we identified the level of service of the existing infrastructure to determine the extent of remediation necessary. These capacity assessments were used to determine frequency of flooding, criticality of infrastructure, and potential risk. We then provided recommendations for repairs and upgrades for each potential project area along with planning-level cost opinions and CIP development for the City to use for budgetary purposes.

Proposed Project Team Qualifications

Stormwater Master Plan

MORRISVILLE, NC

WithersRavenel worked with the Town of Morrisville to develop a Stormwater Master Plan to review and evaluate its existing stormwater infrastructure in relation to the town's overall watershed.

The main goals of the stormwater master plan were to develop a town-wide flood model, identify and prioritize areas with deficient stormwater systems, assess concept level improvement projects to address the identified areas of concern, and develop a 5-year Capital Improvement Plan for the Town to implement.

The project began with our Geomatics Team working to update the Town's existing stormwater infrastructure GIS inventory. This was conducted by utilizing as-built record drawing information provided by the Town to digitize structures and pipes currently missing from the database.

In preparation of the updated GIS inventory, our stormwater team created an Excel-based data validation tool to address missing stormwater infrastructure data from the existing GIS

PROJECT TIMELINE

January 2021-September 2021

KEY FEATURES

- » Stormwater Master Plan
- » Capital Improvement Plan
- » Extensive GIS Work
- » Planning and Budgeting Considerations

inventory such as invert elevations and connectivity and to format the inventory for direct input into the EPA's SWMM software for modeling.

WithersRavenel produced a town-wide SWMM model to define the hydrologic characteristics of the Town at the sub-watershed level and worked with the Town to identify potential stormwater infrastructure improvements projects for planning and budgeting purposes.

Watershed Management Plan

INDIAN TRAIL, NC

The Town of Indian Trail selected WithersRavenel to prepare a comprehensive watershed management plan to be used as guidance for addressing surface water quality management and stormwater quantity management for the entire municipality. Effort included reviewing and evaluating documented sources of pollution and modeling non-point source pollution in order to make recommendations to improve water quality. Effort also included hydrologic and hydraulic modeling based on existing data from the Town (reviewed and reconciled through GIS database analysis), supplemental survey effort, and publicly available topographic survey information.

This modeling allowed evaluation of existing conditions, evaluation of future land-use scenarios, and conceptual improvements. All modeling was performed using EPA SWMM. In addition, streambank stability was evaluated at sample locations chosen based on known concerns and proximity to utility infrastructure.

Public outreach was performed to gain an understanding of support for addressing concerns and to help identify locations

PROJECT TIMELINE

August 2022-Current

KEY FEATURES

- » Watershed Planning
- » Hydrologic and Hydraulic Modeling
- » GIS and Surveying
- » Public Engagement

with existing issues. This was done through an online survey combined with a public meeting as a collaborative effort between the client and consultant.

Based on field data collection and model analysis, the effort will result in guidance for capital project planning, as well as monitoring and maintenance efforts. In addition, the client will be provided with a complete GIS and SWMM package along with training in order to maintain and update data and evaluation in the future.

Proposed Project Team Qualifications

Watershed Master Plan

RED SPRINGS, NC

WithersRavenel worked with the Town of Red Springs on a watershed master plan. Our team’s tasks included locating and surveying existing storm drain structures; creating existing conditions hydrologic and hydraulic model of the Town to identify extents, depth, and timing of potential flood hazards; identifying potential conceptual solutions that mitigate flood risk; and summarizing the methodology, findings, and recommendations into a stormwater master plan report.

Given the unique topography of Red Springs, we used HEC-RAS 2D v6.3 to evaluate both hydrology and hydraulics of the Project area. Precipitation and infiltration loss were modeled with 2D flow areas using precipitation grids where infiltration loss is modeled using Green and Ampt. One of the drawbacks to HEC-RAS 2D is an inability to model conventional 1D urban storm drainage structures such as curb inlets and trunkline pipes.

To work around this limitation, we developed an automated process to parameterize and model storm drain structures and pipes by utilizing 2D storage-area connection objects for pipes and burning storm drain structures into the terrain

PROJECT TIMELINE

April 2022-Current

KEY FEATURES

- » Watershed Master Plan
- » Hydrologic and Hydraulic Modeling
- » GIS and Surveying
- » Identifying Solutions to Limit Flood Risks

to allow 2D overland flow connections between drainage structures. This workflow allowed a complete 2D model that simulated precipitation, infiltration, runoff, and hydraulics all within the same 2D mesh.

This methodology is a cutting-edge approach to evaluating the watershed dynamics and is well suited to the numerous Carolina Bays and flat topography of the Project area. In addition to identifying potential concept areas of improvements, WithersRavenel is currently preparing construction drawings for a neighborhood drainage improvement project identified in the master plan.

Stormwater Master Plan Update

DARE COUNTY, NC

WithersRavenel is currently assisting Dare County with an update of its the 2001 Stormwater Master Plan.

This project is funded in part by a FEMA Flood Mitigation Assistance Grant and includes: soliciting public input and stakeholder engagement; mapping and analyzing existing stormwater infrastructure, assessing risks and hazards, identifying critical project areas and potential mitigation measures with an emphasis on innovative and/or nature-based solutions, conducting site surveys of identified critical project areas, and developing at least two detailed engineering project proposals that can be used for future grant application submissions by Dare County.

PROJECT TIMELINE

December 2021-Current

KEY FEATURES

- » Stormwater Master Plan
- » Public Engagement
- » GIS and Surveying
- » Focus on Nature-based Solutions
- » Identifying Project Areas
- » Preparing for Future Grant Applications

Proposed Project Team Qualifications

Stormwater Master Plan

NAGS HEAD, NC

In 2017, the Town of Nags Head desired an update to its 2006 Stormwater Master Plan and reevaluation of that plan's recommended stormwater capital improvement projects. Through collaboration with the Town, we strived to form a clear picture of their existing stormwater infrastructure and empower them to navigate toward readiness and resiliency.

In the first phase, WithersRavenel provided field data collection and inventory mapping for a portion of the Town's existing stormwater infrastructure, including database review, field data acquisition, office connectivity and quality control, and data delivery and training.

The next phase consisted of preliminary work, including a review of the Town's previous master plan, area research, and site visits to observe drainage conditions.

The next phase, completed in 2018, covered preliminary design development for five prioritized drainage projects identified during the first phase. Work included preliminary assessment, conceptual design, a report summarizing proposed solutions/recommendations, and site visits.

The most recent phase of work advances three of the five project areas from preliminary assessments to final design

PROJECT TIMELINE

May 2017-Current

KEY FEATURES

- » Stormwater Master Plan
- » Phased Work
- » Design Development
- » Extensive GIS Work
- » Construction Services

and construction drawings: Gallery Row Outfall (Project Area #1), Nags Head Acres/Vista Colony (Project Area #2), and The Village at Nags Head (Project Area #3).

This agreement includes final design for the three drainage projects, including survey, design, construction documents, and bid assistance.

Working with Town budgets, WithersRavenel has successfully assisted the Town with over six phases of GIS, stormwater planning, stormwater design, and construction services and continues to do so.

Stormwater Master Plan

OXFORD, NC

WithersRavenel is assisting the City of Oxford in stormwater mitigation for critical infrastructure. The city is faced with frequent flooding during heavy, non-tropical rain events, blocking access to critical infrastructure at the wastewater treatment plant.

The project includes stormwater infrastructure mapping of the entire City as well as modeling along the sub-basins west and parallel to College Street and Martin Luther King Jr. Avenue.

WithersRavenel will complete storm structure surveys, existing conditions topographic mapping, watershed field assessment, existing conditions hydrologic, and existing conditions hydraulic modeling to develop concept plans and a final report deliverable.

PROJECT TIMELINE

January 2023-Current

KEY FEATURES

- » Stormwater Master Plan
- » Hydrologic and Hydraulic Modeling
- » GIS and Surveying
- » Grant Application and Administration

WithersRavenel assisted the City in securing Golden LEAF grant funds to complete this project. WithersRavenel is currently working with four other North Carolina communities on Golden LEAF-funded stormwater projects: Hertford, Maxton, Selma, and Elizabethtown.

Project Approach and Process

PROJECT APPROACH

WithersRavenel is excited for the opportunity to partner with the Town of Waynesville on its Comprehensive Stormwater Master Plan that will focus on existing water quality and quantity while planning for the future. With any stormwater study, the resulting product is only as good as the study's inputs, which includes both the quality of data and the communication throughout the process. WithersRavenel would like to be the Town's partner in this effort and, through the approach below, work to create a Comprehensive Master Plan that can help guide the Town.

Task 1 - Project Management & Grant Administration

WithersRavenel will provide overall project management services to monitor job progress, arrange resources for the project, and communicate to the Town of Waynesville ("the Town") the status of the project. Throughout the duration of the master planning process, WithersRavenel staff will have regular progress meetings with Town staff to communicate progress as well as convey findings throughout the process. These meetings will include a kickoff meeting with Town staff to obtain necessary background information including flooding history, maps, and locations of known problem areas.

As part of the project management task, **WithersRavenel's experienced Funding Services staff will provide the Town with grant administration services** that include:

- » Reviewing appropriate State and federal American Rescue Plan Act (ARPA) guidelines applicable to this project.
- » Complete preliminary paperwork needed to submit reimbursements for the project.
- » Prepare requisition payment requests and compile necessary supporting documentation for the Town to review, execute, and submit to North Carolina Department of Environmental Quality (NCDEQ)'s Division of Water Infrastructure (DWI).
- » Assist the Town Finance Officer in keeping necessary files and match documentation.
- » Act as a liaison as required between the Town and DWI.
- » Assist the Town in close-out procedures and paperwork.

Task 2 - GIS Data Gap Analysis

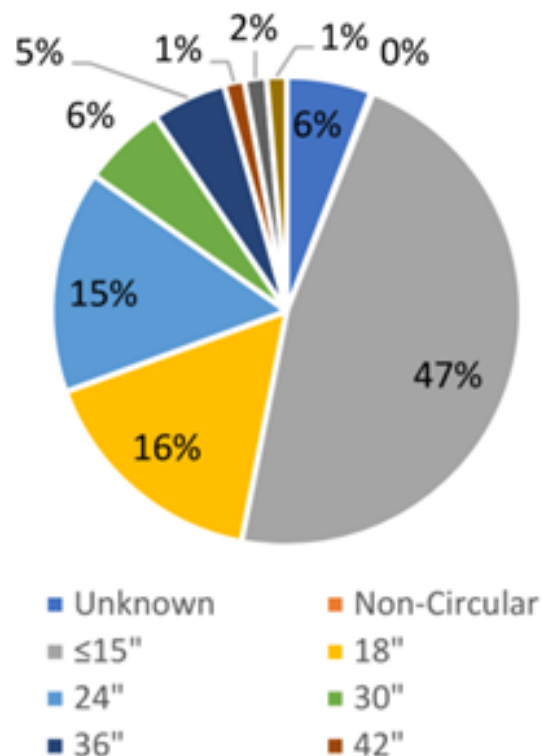
WithersRavenel will obtain the latest version of the Town's GIS stormwater database and review for completeness. Areas within the study limits that lack stormwater features and/or

attributes will be noted as focus areas and utilized for the GPS data collection portion of the project. The Town will assist WithersRavenel in prioritizing focus areas for data collection.

Task 3 - Data Collection and Assessment

WithersRavenel will locate and assess the condition of facilities, drainage infrastructure, and outfalls within the study area and as prioritized by the Town. Those structures will be assessed in the field by pulling lids and obtaining invert measurements to populate the GIS attribute table. In addition, WithersRavenel will verify pipe connectivity and identify possible visible issues that require immediate attention by the Town. The attributes collected will include information for pipe diameter, pipe material, inverts, type, and overall structure condition visible from outside the structure. Photos will be taken at each location and then embedded in the GIS Data for Town reference. When accessible, an internal photo of the inventoried structures will be taken using a 360-degree panoramic camera.

Percent of Total Inventory by Pipe Diameter



Project Approach and Process

Task 4 - Database Update

WithersRavenel will compile all collected field data and condition assessment information in a GIS database. At the conclusion of the field GPS location and data attribution tasks, the data will be integrated with the existing GIS database to represent the newly collected information. This will include a QA/QC review by staff, and field crews will revisit any areas identified from the QA/QC process that are flagged.

Task 5 - Existing Conditions Hydrologic and Hydraulic Modeling

WithersRavenel will prepare an existing conditions hydrologic and hydraulic (H&H) model of priority areas within the Town of Waynesville. **This H&H model will be used to evaluate the capacity of existing stormwater facilities and infrastructure and will be used as the basis to identify conceptual projects for the CIP.**

WithersRavenel will discuss any proposed modeling software with the Town to outline the capabilities and limitations. After a preliminary review of the Town, WithersRavenel recommends that a dual model approach be used for this project. **Within the Hazelwood area of Town, there are multiple areas where parallel Federal Emergency Management Agency (FEMA) streams, specifically Browning Branch, Allen Creek, Richland Creek, and Farmers Branch, share the same floodplain area.** It is anticipated that flow may move in multiple directions and between streams. There are also numerous stream crossings throughout Town. Using the US Army Corps of Engineers (USACE) Hydrologic Engineering Center's River Analysis System (HEC-RAS) 2-dimensional (2D) functionality will provide a detailed analysis of the riverine flooding inundation limits throughout Town. HEC-RAS is uniquely suited for application within the Town of Waynesville as the model is an industry-standard for riverine modeling. The 2D functionality allows river crossings to be modeled within the 2D Flow Area and it allows gridded precipitation. With this approach, we can easily evaluate the direction and quantity of water on the surface and once it enters the open channel. To reduce overall model run times, it is suggested that inflows from outside of the Town limits be calculated in HEC-Hydrologic Modeling Software (HEC-HMS) for input into the model.

For closed stormwater networks, WithersRavenel has an extensive resume of creating watershed hydrology and hydraulics models using the free-to-use public domain

EPA Stormwater Management Model (SWMM). SWMM is the industry standard numerical engine designed to calculate dynamic rainfall-runoff simulation for single event or long-term continuous simulation of runoff quantity. The runoff component of SWMM operates on a collection of subcatchment areas that receive precipitation and generates runoff. The routing portion of SWMM transports this runoff through a system of pipes, channels, and ponds by solving the full 1D St. Venant equation for conservation of mass and momentum. SWMM is uniquely suited for application within the Town of Waynesville as the runoff parameters are able to acutely capture disconnected impervious, simulate infiltration, evaluate the use of low impact development standards, account of overland flood volume, and incorporate dynamic outfall boundary conditions. Dynamic outfall boundary conditions will allow us to iterate between the HEC-RAS and SWMM models to understand the impacts of the riverine system on the closed system outfalls.

Each model can be evaluated using NOAA Atlas 14 rainfall depths for the 2-, 10-, 25-, 50-, and 100-year storm events. Both models will use Town provided data and the field survey data collected as part of this project. Additionally, both models will incorporate publicly available data such as LiDAR, SSURGO soils, orthoimagery, and building layers. Limited calibration and validation of the existing conditions model will use best available information for example: historic rainfall, post-storm aerial orthoimagery, high-water marks, and citizen feedback. Each of these models will allow downstream impacts to be evaluated during the conceptual project development phase. **From our proficient use of HEC-RAS and SWMM, WithersRavenel has developed proprietary GIS-based productivity tools to help build, parameterize, and analyze models. These tools speed up the development of watershed models, increase the accuracy of data input, reduce cost, and maximize our time spent evaluating solutions.**

Finally, the products produced from each model are pulled out of the engineering model and transposed onto GIS exhibits depicting flooding depth and extents. These exhibits consistently demonstrate an ability to provide context in a clear and easy-to-understand platform that engages the community and provides for robust alternative evaluation. Existing Conditions results will be discussed with the Town to identify list of Areas of Concern (AoC).

Project Approach and Process

Task 6 – Conceptual Projects

After identifying the AoC WithersRavenel and the Town will develop planning level conceptual stormwater improvement options. These options will focus on flood risk reduction, replacing aging/failing infrastructure, green stormwater devices, water quality improvements, and nature based solutions. During project development, the team will discuss ongoing or planned Town projects and initiatives to ensure that the proposed stormwater concepts complement those efforts. Conceptual project development will include revising existing conditions model with conceptual improvements. **WithersRavenel will prepare schematic level exhibits of the proposed improvements and planning level engineer’s construction and permitting cost opinions with line items for each conceptual project.** Proposed condition results will be documented in inundation depth maps depicting extents and depth of flooding for each modeled storm event.

Task 7 – Capital Improvement Plan

WithersRavenel shall prepare a 10-year CIP from information gathered and analyzed in previous tasks. CIP projects will include:

- » Prioritization of projects according to impact, effectiveness, and equity
- » Maintenance plan based on the age and condition of the stormwater infrastructure
- » Engineering and cost estimates of improvements
- » Assessment of financial needs and preliminary cost estimates for repairs, replacements, and capital improvement projects.

Task 8 – Public Participation

Part of the process of watershed characterization and master planning will include public input to identify issues of concern and sources of data not previously identified. It will also be an opportunity to identify flooding concerns and to garner citizen engagement and support.

WithersRavenel will prepare a public input and engagement strategy with the Town to identify key objectives and stakeholders. This strategy can be a combination of outreach and education through both digital and in-person actions. WithersRavenel will assist the Town in conducting stakeholder meetings and in-person public charettes. WithersRavenel will present plan drafts and findings to the boards and stakeholders.



Task 9 – Growth Assessment and Resiliency Plan

WithersRavenel will develop an understanding of the climate-related flood risks facing the Town of Waynesville, which will be used to help develop and prioritize the actions necessary to address these risks. The results of this assessment will provide the Town of Waynesville with an understanding of flood risks and priority projects needed to support future steps in preparing for flooding challenges.

This assessment will also look to future growth areas and assess the needs and stressors of future growth. The Town’s 2035 Comprehensive Land Use Plan will be incorporated into the analysis. WithersRavenel will make recommendations for adjustments to ordinances or development standards based on future growth scenarios and water quality concerns and flood risk.

Task 10 – Final Report

WithersRavenel will prepare a thorough and comprehensive report that can be used by the Town to guide continued growth, prosperity, and resiliency. The comprehensive report will detail the methodology, findings, and recommendations into a stormwater master plan.

WithersRavenel will prepare a document that will contain information developed as part of the above tasks including: a summary of hydrologic and hydraulic methodologies and flood modeling results; a summary of potential flooding issues identified with exhibits illustrating flooding locations; conceptual stormwater improvement options; CIP list; and resiliency plan. **The document will be user-friendly to maximize opportunities for future use by the Town.**

WORKLOAD AND AVAILABILITY

WithersRavenel sees our team as an extension of your staff. Each of the staff members proposed for this contract will be responsive to your project needs and are committed to fulfilling their duties until the projects are completed, especially those with tight deadlines.

Our team prepares a schedule for each project and regularly updates the schedule throughout the life of the project. All WithersRavenel project team members have input in creating the schedule, and they assist in defining dependencies, constraints, and duration of tasks. Throughout the project, the project manager works with team members, noting the actual start and end dates of the various tasks. The project manager will keep all team members aware of task start dates and completion dates. If team members see a problem in meeting the schedule of a certain task, they advise the project manager and discuss options for recovering the schedule. If necessary, the project manager will add staff in order to recover the schedule.

LONG-TERM PROJECTS

We have a limited number of projects that are ongoing with construction completions and subsequent certifications that are 3 to 4 years out. We also have many short-term projects (3 to 12 months in duration) that are being completed concurrently. We are adaptive and manage our workload and backlog efficiently.

Our project management software and consistent internal and external communication methods allow for project delivery and accurate internal scheduling for concurrent projects.

Team Member	Availability
Amanda Hollingsworth	55%
Steve Marks	20%
Freddie Harrill	As needed
Katherine Knight	45%
Alisha Goldstein	50%
Haley Valdez	50%
Nathaniel Eddy	50%
Amanda Whitaker	30%
Steven Miller	35%
Karen Mallo	20%
Marshall Wight	30%
Mark Smith	30%
Dana Bolden	15%

REFERENCES

At WithersRavenel, the ultimate award is objectives met, results achieved, and clients satisfied. The references provided below can attest how the quality and timeliness of our work helped them to meet their goals. As a North Carolina-based firm, WithersRavenel focuses on delivering big city capabilities to smaller North Carolina municipalities. Our clients often attest to our responsiveness, ability to stay on budget and schedule, and innovative techniques on projects.

TOWN OF MORRISVILLE

Benjamin Mills
 Stormwater Engineering Manager
 Town of Morrisville
 100 Town Hall Drive
 Morrisville, NC 27560
 benmills@townofmorrisville.org
 919-463-6191
 www.townofmorrisville.org
Project Example: Page 14

CITY OF OXFORD

Amy Ratliff
 City Engineer
 City of Oxford
 PO Box 1307
 Oxford, NC 27565
 aratliff@oxfordnc.org
 919-603-1113
 www.oxfordnc.org
Project Example: Page 16

DARE COUNTY

Barton Grover
 Grants & Waterways Administrator
 Dare County
 954 Marshall Collins Drive
 Manteo, NC 27954
 Barton.Grover@DareNC.gov
 252-475-5628
 www.darenc.gov
Project Example: Page 15

**TOWN OF WAYNESVILLE COUNCIL MEMBERS
REQUEST FOR COUNCIL ACTION
Meeting Date: September 12, 2023**

SUBJECT: First Baptist Church Bicentennial Proclamation

AGENDA INFORMATION:

Agenda Location: Proclamation
Item Number:
Department: Administration
Contact: Judy Pettigrew, **First Baptist Church**
Presenter: **Mayor Gary Caldwell**

BRIEF SUMMARY: The First Baptist Church in Waynesville recently celebrated 200 years. This proclamation shows how the Town of Waynesville hereby recognizes the immeasurable value of this Church to the community over the past two hundred years.

MOTION FOR CONSIDERATION:

FUNDING SOURCE/IMPACT: N/A

ATTACHMENTS:

- First Baptist Church proclamation

MANAGER'S COMMENTS AND RECOMMENDATIONS:

Proclamation

Mt. Prospect, a settlement along what is now Waynesville's Main Street, was existing in 1808 when the North Carolina General Assembly ratified an act to create Haywood County. This settlement was the nucleus of the new county. In 1810 another act of the General Assembly changed the name to Waynesville, which then became county seat of this new county.

Thirteen years later, in 1823 Waynesville Baptist Church was organized with twenty seven charter members, later called First Baptist Church of Waynesville. Many, if not all members were active in local government. Their first building was located on the banks of Richland Creek near the present bridge at the intersection of Richland, Miller, Commerce and Smathers Streets. They later moved to a new building on Church Street and remained there until 1903 when they again erected a new building on the corner of Main and Academy. In 1952 the present sanctuary was built.

NOW WHEREAS the Town of Waynesville and the First Baptist Church have walked hand-in-hand for part of three centuries, each dealing with Waynesville's problems and fortunes and through our country's major disasters including the devastating War Between the States, and

WHEREAS through all prevailing tribulations the First Baptist Church has constantly contributed strength and stability to the town and upheld it as both progressed and the attractive features of this area became more widely known, and

WHEREAS the First Baptist Church has anchored it's location in Waynesville's central business district for all of the twentieth century, and

WHEREAS the First Baptist Church, now looking to the future of Waynesville and recognizing it's continuing mission in our community.

NOW THEREFORE the Town of Waynesville hereby recognizes the immeasurable value of this Church to the community over the past two hundred years; and further, with great pride, do I as Mayor on this twenty third day of August, two thousand twenty three, express appreciation of a grateful town to a great Church for making each of these years count toward attainment of a nobler spirit of community and for it's consistent faith in Waynesville's future.

Gary Caldwell, Mayor

**TOWN OF WAYNESVILLE COUNCIL MEMBERS
REQUEST FOR COUNCIL ACTION
Meeting Date: September 12, 2023**

SUBJECT: Constitution Week

AGENDA INFORMATION:

Agenda Location: Proclamation
Item Number:
Department: Administration
Contact: Carol Litchfield, Hugh Rogers Chapter, Constitution Week Committee Chair
Presenter: Mayor Gary Caldwell

BRIEF SUMMARY: September 17th-23rd, is Constitution Week, with September 17th marking the two hundredth thirty-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention.

MOTION FOR CONSIDERATION:

FUNDING SOURCE/IMPACT: N/A

ATTACHMENTS:

- Constitution Week Proclamation

MANAGER'S COMMENTS AND RECOMMENDATIONS:

**Proclamation
Constitution Week
September 17-23, 2023**

WHEREAS, September 17, 2023 marks the two hundred thirty-sixth anniversary of the drafting of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, it is fitting and proper to accord official recognition to this enduring document on this anniversary, and to the patriotic celebrations which will commemorate the occasion, and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week.

NOW, THEREFORE, I, Gary Caldwell, by virtue of the authority vested in me as Mayor of the Town of Waynesville, North Carolina do hereby proclaim the week of September 17 through 23 as

Constitution Week

and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedom guaranteed to us through this guardian of our liberties, remembering that lost rights may never be regained.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town to be affixed this ____ day of September, of the year of our Lord two thousand twenty-three.

Town of Waynesville, N.C.

Gary Caldwell
Mayor

ATTEST:

Candace Poolton
Town Clerk

**TOWN OF WAYNESVILLE COUNCIL MEETING
REQUEST FOR COUNCIL ACTION
Meeting Date: September 12, 2023**

SUBJECT: Promotion of Paige Shell to Sergeant

AGENDA INFORMATION:

Agenda Location: New Business
Item Number:
Department: Police
Contact: Chief David Adams
Presenter: **Chief David Adams**

BRIEF SUMMARY: Detective Paige Shell was recently promoted to Sgt. of Criminal Investigations

MOTION FOR CONSIDERATION:

ATTACHMENTS:

MANAGER'S COMMENTS AND RECOMMENDATIONS:

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date 8/12/23**

SUBJECT Wastewater Treatment Plant- Update #2
(Update #1 July 13, 2023)

AGENDA INFORMATION:

Agenda Location: Presentations
Item Number:
Department: Wastewater Treatment
Contact: Rob Hites
Presenter: **Rob Hites**

BRIEF SUMMARY : On July 18th the Department of Environmental Quality announced that Waynesville had been awarded a \$4,877,100 grant to help cover the gap between the \$19,545,000 State Revolving Loan and the \$25,725,000 construction contract. Councilmember Sutton worked with the Governor’s Office and the Department of Environmental Quality to obtain the grant.

The sewer plant is separated into several levels of treatment. Raw sewerage enters the plant and passes through the treatment process before being released to the Pigeon River. It is easier to follow the construction process when you recognize the names of the components of the plant and how they relate to the treatment process.

The “Headworks” is the location where the waste enters the plant. The waste flows over a screen that removes large solids. The soil particles and sand flow to a “grit chamber”. The grit is collected and deposited in the landfill. The waste passes through a disk filter that removes smaller solids. They are sent to the landfill. The liquids are sent to the aeration basin where the waste is exposed to hyperaerated bacteria that breakdown the organic matter. The waste is sent to a secondary clarifier where another set of bacteria further breakdown the waste. The solids in both the aeration basin and secondary clarifier settle to the bottom. Several inches of sludge are retained in the basins to promote bacterial growth. The remainder is pumped to sludge holding basins. Excess sludge is sent to a “dewatering belt press” where much of the water is removed. The remaining sludge is sent to the landfill. Once the treated wastewater passes through the secondary clarifiers, it is sent to the “Chlorine Contact Basin”. Sodium Hypochlorite (swimming pool chlorine) is mixed with nonpotable water and injected into the waste, killing the remaining bacteria. The chlorine is removed from the waste in a “Dechlorination Basin” before it enters the river so that the chlorine does not kill wildlife in the river.

Harper Construction Company is moving according to the timetable approved by DEQ. . To date, the Town has expended \$5,765,083.48 or 23% of the project cost. The contractor has completed construction of the grit chamber and influent pump station, parts of the new “headworks”. They are currently constructing the piping and floor of the primary treatment disk filters. The staff has drained two of the aeration basins and are removing the accumulation of debris at the bottom of the basins. The basins will be retrofitted with new air infusers that create an optimal environment for the bacteria to breakdown the organic material in the waste. The sidewalls of the secondary clarifiers have been constructed increasing the depth of the basin to eight feet. The contractor has formed and poured the walls of the “Blower Room” adjacent to the aeration basins.

MOTION FOR CONSIDERATION: Accept as information.

FUNDING SOURCE/IMPACT: Wastewater Treatment

ATTACHMENTS: Power Point Presentation

**TOWN OF WAYNESVILLE COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: September 12, 2023**

SUBJECT: Public Hearing to consider the text amendment to add an “Event Space” as a stand-alone use in the Land Development Standards (LDS).

AGENDA INFORMATION:

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

BRIEF SUMMARY:

Per 2035 Comp Plan recommendations, the Planning Board created an ad hoc committee to study the land use challenges and opportunities along the Waynesville railroad corridor. In discussions related to economic development along the railroad, the subcommittee identified a gap in our zoning ordinances. An “event space” is not defined as a stand-alone use. Additionally, the Development Services received inquiries about converting properties into wedding venues and event spaces as a primary use, and there was no guidance in the LDS for managing their potential impacts.

This text amendment comes out of the Railroad Subcommittee and proposes a definition of an “event space” with supplemental standards (parking, noise, trash, buffer against residential areas). The Planning Board recommends allowing “event spaces” as a Special Use Permit, and proposes to allow them only in the Railroad Overlay District. This would limit potential impacts on surrounding areas and give the Planning Board an opportunity to carefully review each application through a quasi-judicial proceeding. In the future, property owners could request to add “event spaces” in other districts in the Table of Permitted Uses (LDS 2.5.3) via text amendment procedure that would require approval by the Town Council.

Staff presented the text amendment to the Planning Board and got the feedback on June 19, 2023. On July 17, 2023, the Board held a public hearing and voted unanimously to recommend it to the Town Council.

MOTIONS FOR CONSIDERATION:

1. Motion to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.
2. Motion to adopt the Ordinance as presented (or as amended).

FUNDING SOURCE/IMPACT:

N/A

ATTACHMENTS:

1. Proposed text amendment
2. Consistency Statement Worksheet
3. Report from the Planning Board
4. Staff Report
5. Exhibit Table 2.5.3
6. Newspaper Notice

MANAGER’S COMMENTS AND RECOMMENDATIONS:

ORDINANCE NO. O-36-23

**AN ORDINANCE AMENDING THE TEXT
OF THE TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS**

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 Land Development Standards (LDS) do not have a definition of an “event space” as a use or any regulating standards for such use; and

WHEREAS, the Town of Waynesville Planning Board has reviewed the proposed text amendment to the LDS and recommends that it is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.

WHEREAS, the Planning Board has reviewed and recommends the proposed text amendment for enactment by the Town Council; and

WHEREAS, after notice duly given, a public hearing was held on July 17, 2023 at the regularly scheduled meeting of the Waynesville Planning Board, and on September 12, 2023 at the regularly scheduled meeting of the Waynesville Town Council;

WHEREAS, the Town Council find this Ordinance to be consistent with the Town’s 2035 Comprehensive Plan it meets the following goals, and is reasonable and in the public interest to clarify a definition:

- Goal # 1: to “promote smart growth in land use planning and zoning;”
- Goal #5: to “create opportunities for a sustainable economy;”

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON SEPTEMBER 12, 2023 AND WITH A MAJORITY OF THE COUNCIL MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Land Development Standards be amended as follows (in red):

1. Amend Section 2.5.3 Table of Permitted Uses as follows:

USE TYPES	Residential-Low Density Districts (RL)				Residential-Medium Density Districts (RM)				Neighborhood Residential (NR)								Urban Residential (UR)			Neighborhood Center (NC)			Business District (BD)			Regional Center (RC)			Commercial Industrial (CI)			
	CC-RL	EN-RL	FC-RL	HT-RL	CP-RM	D-RM	HM-RM	SW-RM	AC-NR	LL-NR	MS-NR	N-NR	PS-NR	PC-NR	RC-NR	SS-NR	WS-NR	EW-UR	H-UR	HM-UR	NM-NC	PS-NC	RC-NC	CBD	H-BD	SM-BD	DJ-RC	HC-RC	RA-RC	CI		
COMMERCIAL																																
Adult Establishment	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS
Alcoholic Beverage Sales Store	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	P	P	P	P	-
Auto Parts Sales	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS	PS	PS	PS	PS	PS	PS	P	P	P	P	-
Bar/Tavern/Night Club	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	-
Drive-Thru Commercial	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	PS	PS	PS	PS	PS	PS	PS	P	P	P	P	-
Event Space	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Gas/Fueling Station	-	-	-	-	-	-	-	-	PC/PS	-	-	-	-	-	PL/PS	-	-	-	-	-	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	-
General Commercial – Less than 100,000 sf	-	-	-	-	-	-	-	-	-	-	-	PL	-	-	PL	-	-	PL	-	-	P	P	P	P	P	P	P	P	P	P	P	-
General Commercial – Greater than 100,000 sf	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Neighborhood Commercial (as defined in section 17.30 adopted 8/2018)	-	-	-	-	-	PL	-	PL	-	PL	-	PL	-	-	PL	-	PL	PL	PL	-	-	-	-	-	-	-	-	-	-	-	-	-
Neighborhood Restaurant (as defined in section 17.30 adopted 8/2018)	-	-	-	-	-	PL	-	PL	-	PL	-	PL	-	-	PL	-	PL	PL	PL	-	-	-	-	-	-	-	-	-	-	-	-	-

2. Amend Section 17.3 Definitions, Use Type as follows:

Event Space. An establishment that is available to the general public for hosting weddings, receptions, conferences, parties, business meetings, banquets, social gatherings, or similar indoor or outdoor events.

3. Amend Section 3.5 Supplemental Use Standards- Commercial and renumber the subsequent sections as follows:

3.5.5 Event Space.

- A. An “event space” may be a primary or secondary use of the property. In either case, it must be allowed in the underlying zoning district.
- B. **Screening.** An outdoor area of an event space shall be buffered by a Type C buffer (LDS 8.4.2.C) from any lot containing a church, a school, or any residential district (adjacent or across the street / private road).
- C. **Parking.** LDS 9.2.1 standards apply. Vehicles attending/employed by an event cannot block the streets, create traffic congestion or unsafe situations, or park in the public right-of-way or undesignated areas.
- D. **Noise.** All events must comply with the Town of Waynesville noise ordinances.
- E. **Trash.** All events must contain their trash and comply with the Town of Waynesville trash pick-up ordinances and schedules.
- F. **Other permits.** All events must be in compliance with all local, state, and federal regulations and permits, including but not limited to ABC permit.

G. Off-Site Events. All events are limited to the property. If additional activities take place off premises (such as parades, special events outside of your building, tent sales, or other similar events), a temporary use permit must be obtained for each such event (LDS 15.6.2).

3.5.6 Gas/Fueling Station

...

3.5.7 General Commercial- Greater than 100,000 sq. ft

...

3.5.8 Outside Storage

...

3.5.9 Vehicle and Heavy Equipment Sales/ Rental ...

...

3.5.10 Vehicle Services- Minor Maintenance/Repair/Wash

...

3.5.11 Vehicle Services- Major Repair/Body Work

...

3.5.12 Video Gaming or Video Gaming Parlor

...

ADOPTED this _____ Day of _____, 2023.

TOWN OF WAYNESVILLE

J. Gary Caldwell, Mayor

ATTEST:

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney



To: Waynesville Town Council
 From: Olga Grooman, Land Use Administrator
 Date: September 12, 2023
 Subject: Text Amendment Statement of Consistency
 Description: Addition of “Event Space” as a use, Sections 2.5.3, 3.5, and 17.3 of the LDS
 Address: Planning Board Initiated Text Amendment

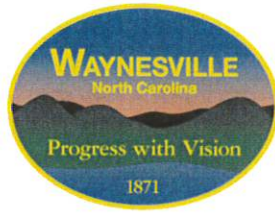
The Town Council hereby finds that:

The zoning text amendment **is approved and consistent with the Town’s Comprehensive Land Use Plan** because: _____

The zoning amendment **and is reasonable and in the public interest** because:

The zoning amendment **is rejected because it is inconsistent with the Town’s Comprehensive Land Plan and is not reasonable and in the public interest** because: _____

In addition to approving this zoning amendment, this approval is **also deemed an amendment to the Town’s Comprehensive Land Use Plan**. The change in conditions taken into account in amending the zoning ordinance to meet the development needs of the community and why this action is reasonable and in the public interest, are as follows: _____



To: Waynesville Town Council
 From: Olga Grooman, Land Use Administrator
 Date: September 12, 2023
 Subject: Planning Board Report and Statement of Consistency
 Description: Addition of "Event Space" as a use, Sections 2.5.3, 3.5, and 17.3 of the LDS
 Applicant: Railroad Subcommittee Initiated Text Amendment

The Planning Board hereby adopts and recommends to the Town Council the following statement(s):

1. A motion was made by Board Chair Susan Teas Smith and seconded by Board member Ginger Hain that the zoning text amendment **is approved as it is consistent with the Town's Comprehensive Land Use Plan and is reasonable and in the public interest** because it is consistent with:

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

- Encourage in-fill, mixed use, and context-sensitive development.

Goal 5: Create Opportunities for a Sustainable Economy.

- Promote the growth of existing local businesses and Waynesville's "maker economy."
- Promote Waynesville's downtown districts, inns, restaurants, and reputation as the "Gateway to the Smokies."

The motion was carried unanimously.

2. Additionally, the Planning Board **recommends that the Town Council adopt the text amendment** to add an "event space" as a use with supplemental standards to the LDS. Planning Board member Jan Grossman made a motion, seconded by Board member Barbara Thomas, to recommend the text amendment to the Town Council as presented.

The motion passed unanimously.



 Susan Teas Smith, Planning Board Chair Date 7/26/23



 Esther Coulter, Administrative Assistant Date 7-26-23

Waynesville Town Council Staff Report

Subject: Text amendment related to the addition of “Event Space” as a stand-alone use and its supplemental standards to the Land Development Standards (LDS)
Ordinance Section: Sections 2.5.3, 3.5, and 17.3 of the LDS
Applicant: Planning Board initiated text amendment; Development Services
Meeting Date: September 12, 2023

Background:

LDS Section 2.5.2 B. Uses Not Listed, states: “Should the Administrator determine that a materially similar use does not exist, this Chapter may be amended to establish a specific listing for the use in question.” The attached text amendment comes out of the Railroad Subcommittee’s discussions and provides a proposed definition of an “event space” and associated regulations.

Although “event spaces” would be generally compatible with other civic, retail, cultural, and entertainment uses, the Planning Board wants to mitigate any potential impacts on the surrounding areas by carefully reviewing each application via a quasi-judicial procedure. The Planning Board therefore proposes to allow “event spaces” as a Special Use Permit and only in the Railroad Overlay District. In the future, property owners may request to include “event spaces” in other districts in the Table of Permitted Uses (LDS 2.5.3) via a the text amendment procedure that will be heard by both the Planning Board and Town Council.

Events, especially large ones, may create significant impacts on the surrounding communities: noise, trash, parking, traffic, etc. That is why the staff also proposes additional standards for “event spaces” in Chapter 3 of the LDS.

Staff Recommended Text Changes and Consistency with the 2035 Comprehensive Plan:

Staff submits that the proposed text amendments to the LDS are consistent with the 2035 Comp Plan goals:

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

- Encourage in-fill, mixed use, and context-sensitive development.

Goal 5: Create Opportunities for a Sustainable Economy.

- Promote the growth of existing local businesses and Waynesville’s “maker economy.”
- Promote Waynesville’s downtown districts, inns, restaurants, and reputation as the “Gateway to the Smokies.”

The proposed changes to the LDS include:

- Include the definition of an “event space” in section 17.3 of the LDS
- Create supplemental standards for this use in Chapter 3 of the LDS: parking, noise, trash, buffer against residential areas, other permits
- “Event space” can be a primary or secondary use to the property. However, both uses must be allowed in the underlying zoning district.

The proposed changes are shown on the attached draft ordinance and **in red**.

Attachments:

1. Cover sheet
2. Consistency Statement Worksheet
3. Report from the Planning Board
4. Staff Report
5. Exhibit Table 2.5.3
6. Newspaper Notice

Recommended Motions:

1. Motion to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.
2. Motion to adopt the Ordinance as presented (or as amended).



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: August 23 and August 30 Wednesday Editions

Date: August 16, 2023

Contact: Olga Grooman, (828) 356-1172

Notice of Public Hearings

Waynesville Town Council

Waynesville Town Council will hold **three (3) public hearings on September 12, 2023 beginning at 6:00 pm** or as closely thereafter as possible in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider three (3) text amendments:

1. Addition of an “Event Space” as a stand-alone use to the Land Development Standards (LDS): definition and supplemental standards.
2. Creation of a Railroad Overlay District: purpose, standards, uses.
3. Definition of “Freight Hauling/Truck Terminals.”

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

**TOWN OF WAYNESVILLE COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: September 12, 2023**

SUBJECT: Public Hearing to consider the text amendment to update the definition of “Freight Hauling/Truck Terminals” in section 17.3 of the Land Development Standards (LDS).

AGENDA INFORMATION:

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

BRIEF SUMMARY:

The current definition of the “Freight Hauling/Truck Terminals” in the LDS is the same as the definition of “Funeral Homes,” which appears to be a copy and paste error from many years ago. However, the footnote for the definition has a valid reference to the Land Based Classification Standards (LBCS), a guidance document by the American Planning Association that classifies and defines various land uses. The staff wishes to correct the definition with the intended one from the LBCS.

MOTIONS FOR CONSIDERATION:

1. Motion to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.
2. Motion to adopt the Ordinance as presented (or as amended).

FUNDING SOURCE/IMPACT:

N/A

ATTACHMENTS:

1. Proposed text amendment
2. Consistency Statement Worksheet
3. Report from the Planning Board
4. Staff Report
5. Newspaper Notice

MANAGER’S COMMENTS AND RECOMMENDATIONS:

ORDINANCE NO. O-37-23
AN ORDINANCE AMENDING THE TEXT
OF THE TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS

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 Land Development Standards had an incorrect definition of “Freight Hauling/Truck Terminals,” but reference to a different definition that is provided in the American Planning Association’s Land Based Classification Standards (LBCS); and

WHEREAS, the Town of Waynesville Planning Board has reviewed the proposed text amendment to the LDS and recommends that it is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.

WHEREAS, the Planning Board has reviewed and recommends the proposed text amendment for enactment by the Town Council; and

WHEREAS, after notice duly given, a public hearing was held on **July 17, 2023** at the regularly scheduled meeting of the Waynesville Planning Board, and on **September 12, 2023** at the regularly scheduled meeting of the Waynesville Town Council;

WHEREAS, the Town Council find this Ordinance to be consistent with the Town’s 2035 Comprehensive Plan it meets the following goals, and is reasonable and in the public interest to clarify a definition:

- Goal # 1: to “promote smart growth in land use planning and zoning;”
- Goal #5: to “create opportunities for a sustainable economy;”
- Goal #6 to “create an attractive, safe, and multi-modal transportation system.”

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON SEPTEMBER 12, 2023 AND WITH A MAJORITY OF THE COUNCIL MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Land Development Standards be amended as follows (in red):

1. Amend Section 17.3 Definitions, Use Type as follows:

~~**Freight Hauling/Truck Terminals.** Establishments for preparing the dead for burial or interment and conducting funerals (i.e. providing facilities for wakes, arranging transportation for the dead, and selling caskets and related merchandise). (LBCS S2760 and F4140).~~

Freight Hauling/Truck Terminals. Establishments in the truck and freight transportation category that provide over-the-road transportation of cargo using motor vehicles, such as trucks and tractor trailers. These establishments may handle a variety of commodities, involve local or long distance trucking, and require specialized equipment due to the size, weight, shape, or other inherent characteristics of the cargo (LBCS F4140).

ADOPTED this _____ Day of _____, 2023.

TOWN OF WAYNESVILLE

J. Gary Caldwell, Mayor

ATTEST:

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney



To: Waynesville Town Council
From: Olga Grooman, Land Use Administrator
Date: September 12, 2023
Subject: Text Amendment Statement of Consistency
Description: Text amendment to update the definition of “Freight Hauling/Truck Terminals”
in section 17.3 of the Land Development Standards (LDS)
Address: Development Services Initiated Text Amendment

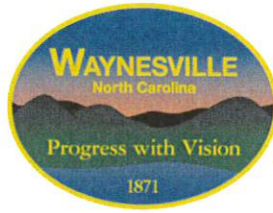
The Town Council hereby finds that:

The zoning text amendment **is approved and consistent with the Town’s Comprehensive Land Use Plan** because: _____

The zoning amendment **and is reasonable and in the public interest** because:

The zoning amendment **is rejected because it is inconsistent with the Town’s Comprehensive Land Plan and is not reasonable and in the public interest** because: _____

In addition to approving this zoning amendment, this approval is **also deemed an amendment to the Town’s Comprehensive Land Use Plan**. The change in conditions taken into account in amending the zoning ordinance to meet the development needs of the community and why this action is reasonable and in the public interest, are as follows: _____



To: Waynesville Town Council
From: Olga Grooman, Land Use Administrator
Date: September 12, 2023
Subject: Planning Board Report and Statement of Consistency
Description: Definition of "Freight Hauling/Truck Terminals," Section 17.3 of the LDS
Applicant: Development Services Initiated Text Amendment

The Planning Board hereby adopts and recommends to the Town Council the following statement(s):

1. A motion was made by Board member Ginger Hain and seconded by Board member Barbara Thomas that the zoning text amendment **is approved as it is consistent with the Town's Comprehensive Land Use Plan and is reasonable and in the public interest** because it is consistent with:

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

- Encourage in-fill, mixed use, and context-sensitive development.

Goal 5: Create Opportunities for a Sustainable Economy.

- Promote the growth of existing local businesses and Waynesville's "maker economy."

Goal 6: Create an attractive, safe and multi-modal transportation system.

- Provide an interconnected transportation network of roadways, greenways, freight mobility, bicycle routes, and sidewalks that improves safety and strategic access for all users.

The motion was carried unanimously.

2. Additionally, the Planning Board **recommends that the Town Council adopt the text amendment** to define "freight hauling/truck terminals." Planning Board member Jan Grossman made a motion, seconded by Board Chair Susan Teas Smith, to recommend the text amendment to the Town Council as presented.

The motion passed unanimously.


Susan Teas Smith, Planning Board Chair Date


Esther Coulter, Administrative Assistant Date

Waynesville Town Council Staff Report

Subject: Definition of “Freight Hauling/Truck Terminals” in the Land Development Standards (LDS)
Ordinance Section: Section 17.3 of the LDS
Applicant: Staff initiated text amendment
Meeting Date: September 12, 2023

Background

The current definition of the “Freight Hauling/Truck Terminals” in the LDS is the same as the definition of “Funeral Homes.” Based on the valid reference to a different definition from the Land Based Classification Standards (LBCS), the staff wants to correct the mistake and replace the wrong definition with the intended one from the LBCS.

Staff Recommended Text Changes and Consistency with the 2035 Comprehensive Plan:

Staff submits that the proposed text amendments to the LDS are consistent with the 2035 Comp Plan goals:

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

- Encourage in-fill, mixed use, and context-sensitive development.

Goal 5: Create Opportunities for a sustainable economy.

- Promote the growth of existing local businesses and Waynesville’s “maker economy.”

Goal 6: Create an attractive, safe and multi-modal transportation system.

- Provide an interconnected transportation network of roadways, greenways, freight mobility, bicycle routes, and sidewalks that improves safety and strategic access for all users.

The proposed changes are shown **in red**.

Attachments

1. Cover sheet
2. Consistency Statement Worksheet
3. Report from the Planning Board
4. Staff Report
5. Newspaper Notice

Recommended Motions

1. Motion to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.
2. Motion to adopt the Ordinance as presented (or as amended).



TOWN OF WAYNESVILLE

Development Services Department

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FOR PUBLICATION IN THE MOUNTAINEER: August 23 and August 30 Wednesday Editions

Date: August 16, 2023

Contact: Olga Grooman, (828) 356-1172

Notice of Public Hearings Waynesville Town Council

Waynesville Town Council will hold **three (3) public hearings on September 12, 2023 beginning at 6:00 pm** or as closely thereafter as possible in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider three (3) text amendments:

1. Addition of an “Event Space” as a stand-alone use to the Land Development Standards (LDS): definition and supplemental standards.
2. Creation of a Railroad Overlay District: purpose, standards, uses.
3. Definition of “Freight Hauling/Truck Terminals.”

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

**TOWN OF WAYNESVILLE COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: September 12, 2023**

SUBJECT: Public Hearing to consider a text amendment to establish a Railroad Overlay District (RR-O) and its uses, sections 2.5.3 and 2.6 of the Land Development Standards.

AGENDA INFORMATION:

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

BRIEF SUMMARY:

Underutilized rail corridors present opportunities for economic development. In Waynesville, the railroad corridor is an opportunity for commercial, cultural, and residential areas to safely coexist, and an opportunity for increased economic and social vibrancy.

Pursuant to the 2035 Comp Plan recommendations, the Planning Board assigned an ad hoc committee to study land use challenges and opportunities along the railroad corridor. The group consisted of local business owners, community representatives, Planning Board members, and Development Services staff. Additionally, staff had discussions with the leadership team of the Blue Ridge Southern Railroad. During five months of work, the subcommittee researched, studied, and discussed potential uses along the corridor, economic opportunities, and how the corridor provides transportation connections and gateways through various neighborhoods and the Hazelwood and Frog Level business districts. The Planning Board's Railroad Subcommittee work is documented on the Town's website at:

<https://www.waynesvillenc.gov/departments/development-services/rail-corridor-study>

Staff presented the text amendment to the Planning Board and got the feedback on June 19, 2023. On July 17, 2023, the Board held a public hearing and voted unanimously to recommend that a railroad corridor zoning overlay be adopted as a text amendment. Once adopted the overlay can be placed onto the zoning map through a separate map amendment process.

MOTIONS FOR CONSIDERATION:

1. Motion to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.
2. Motion to adopt the Ordinance as presented (or as amended).

FUNDING SOURCE/IMPACT:

N/A

ATTACHMENTS:

1. Proposed text amendment
2. Consistency Statement Worksheet
3. Report from the Planning Board
4. Staff Report
5. Exhibit: Examples
6. Newspaper Notice

MANAGER'S COMMENTS AND RECOMMENDATIONS:

ORDINANCE NO. O-38-23

**AN ORDINANCE AMENDING THE TEXT
OF THE TOWN OF WAYNESVILLE LAND DEVELOPMENT STANDARDS**

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 Comprehensive Plan 2035 recommends the creation of “a railroad overlay district to encourage redevelopment along the railroad corridor, especially in areas with access to existing/future greenway;” and “to create opportunities within the Town of Waynesville’s industrial areas and along the railroad corridor;” and

WHEREAS, the Town of Waynesville Planning Board conducted a study of the railroad corridor and has proposed text amendments to the Land Development Standards which it finds to be consistent with the 2035 Comprehensive Plan and are reasonable and in the public interest; and

WHEREAS, the Planning Board has reviewed and recommends the proposed text amendments for enactment by the Town Council; and

WHEREAS, after notice duly given, a public hearing was held on **July 17, 2023** at the regularly scheduled meeting of the Waynesville Planning Board, and on **September 12, 2023** at the regularly scheduled meeting of the Waynesville Town Council;

WHEREAS, the Town of Waynesville Town Council find that the proposed text amendments are consistent with the 2035 Comprehensive Plan and are reasonable and in the public interest because they meet the following goals:

- Goal #1: to “promote smart growth in land use planning and zoning;” by encouraging infill, mixed-use, and context sensitive development, and implementing a railroad overlay district to encourage redevelopment along the corridor, especially will reinforce the unique character of Waynesville; and
- Goal#5: to “create opportunities for a sustainable economy,” by promoting the growth of the existing local businesses, promote Waynesville’s downtown districts, inns, restaurants, and reputation as as the “gateway to the Smokies.”

WHEREAS, the Town Council find this Ordinance to be consistent with the Town’s 2035 Comprehensive Plan and that it is reasonable and in the public interest to “make decisions about resources and land use in accordance with North Carolina General Statutes.” and

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE, MEETING IN REGULAR SESSION ON SEPTEMBER 12, 2023 AND WITH A MAJORITY OF THE COUNCIL MEMBERS VOTING IN THE AFFIRMATIVE, THE FOLLOWING:

That the Land Development Standards be amended as follows (in red):

1. Amend Section 2.5.3 of the LDS as follows:

2.5.3 Table of Permitted Uses (rev. 2012, 2016,2017, 2018, 2020, 2022, 2023):

For uses permitted in the Railroad Overlay District (RR-O), see Section 2.6 Overlay Districts of the LDS.

USE TYPES	Residential-Low Density Districts (RL)				Residential-Medium Density Districts (RM)				Neighborhood Residential (NR)							
	CC-RL	EN-RL	FC-RL	HT-RL	CP-RM	D-RM	HM-RM	SW-RM	AC-NR	LL-NR	MS-NR	N-NR	PS-NR	PC-NR	RC-NR	
RESIDENTIAL																
Dwelling-Single Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Dwelling-Two Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Dwelling-Townhome	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Dwelling – Cottage	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Dwelling-Multifamily	-	-	-	-	P	P	-	P	P	P	P	P	P	P	P	
Dwelling-Accessory	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	
Family Care Home (6 or fewer residents)	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	
Halfway Houses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Home Occupation	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	
Live-Work Units	PL/PS	-	-	-	-	PL/PS	-	PL/PS	-	PL/PS	-	PL/PS	-	-	PL/PS	

2. Amend the LDS Section 2.6 Overlay Districts as follows:

2.6.3 Railroad Overlay District.

A. **Purpose:** The Railroad Overlay District (RR-O) is a zoning overlay district created with the purpose of implementing the goals of the 2035 Comprehensive Land Use Plan to encourage redevelopment along the railroad corridor and to create opportunities within the Town of Waynesville’s industrial areas. The goal of the RR-O is to provide more zoning flexibility and promote economic vibrancy of the underutilized areas along the rail tracks.

B. **Development Standards:** all development standards, including but not limited to density, setbacks, height, etc., of the underlying district apply.

C. **Permitted Uses:**

- All the uses allowed in the underlying districts remain exactly as they are noted in the Table of Permitted Uses (See LDS 2.5.3).
- In case of a conflict with the table below, the use as noted for the underlying district in LDS 2.5.3 will prevail (not necessarily the most restrictive).
- Additional uses for RR-O are specified in the table below. If the use is not allowed in the underlying district but is noted in the table below, then it is permitted in RR-O.
- Permitted Uses allowed within the RR-O¹:

¹ P- Permitted, PS- Permitted subject to additional standards in Chapter 3, SUP- Special Use Permit required (See Chapter 3 and 15).

Uses	Railroad Overlay Districts (RR-O)
Dwelling-Single Family	PS
Dwelling- Two Family	P
Dwelling- Townhome	P
Dwelling- Cottage	P
Dwelling-Multifamily	P
Dwelling Accessory	PS
Family Care Home (6 or fewer residents)	PS
Halfway Houses	PS
Home Occupation	PS
Live-Work Units	PS
Manufactured Home Parks	SUP
Manufactured Housing	PS
Residential Care Facilities (more than 6 residents)	P
Hotels/Motels	P
Personal Services	P
Professional Services	P
Event Space	SUP
Neighborhood Commercial	P
Neighborhood Restaurant	P
Vehicle & Heavy Equipment Sales/Rental	PS
Vehicle Services- Major Repair/Body Work	PS
Amusements, Outdoor	P
Billiard/Pool Hall	P
Freight Hauling/Truck Terminals	SUP
Mini-Warehouses	SUP
Storage- Warehouse, Indoor Storage	P
Manufacturing, Light	P
Produce Stands in Conjunction with Crop Production	P
Wireless Communications Facility, Mini	PS
Wireless Communications Facility, Macro	PS
Monopole Wireless Communications Tower	SUP

ADOPTED this ____ Day of _____, 2023.

TOWN OF WAYNESVILLE

J. Gary Caldwell, Mayor

ATTEST:

Candace Poolton, Town Clerk

APPROVED AS TO FORM:

Martha Bradley, Town Attorney



To: Waynesville Town Council
 From: Olga Grooman, Land Use Administrator
 Date: September 12, 2023
 Subject: Text Amendment Statement of Consistency
 Description: Text amendment to establish a Railroad Overlay District (RR-O) and its uses, sections 2.5.3 and 2.6 of the Land Development Standards
 Address: Railroad Subcommittee Initiated Text Amendment

The Town Council hereby finds that:

The zoning text amendment **is approved and consistent with the Town’s Comprehensive Land Use Plan** because: _____

The zoning amendment **and is reasonable and in the public interest** because:

The zoning amendment **is rejected because it is inconsistent with the Town’s Comprehensive Land Plan and is not reasonable and in the public interest** because: _____

In addition to approving this zoning amendment, this approval is **also deemed an amendment to the Town’s Comprehensive Land Use Plan.** The change in conditions taken into account in amending the zoning ordinance to meet the development needs of the community and why this action is reasonable and in the public interest, are as follows: _____



To: Waynesville Town Council
From: Olga Grooman, Land Use Administrator
Date: September 12, 2023
Subject: Planning Board Report and Statement of Consistency
Description: Creation of a Railroad Overlay District (RR-O) and Its Uses, Sections 2.5.3 and 2.6 of the Land Development Standards (LDS)
Applicant: Railroad Subcommittee Initiated Text Amendment

The Planning Board hereby adopts and recommends to the Town Council the following statement(s):

1. A motion was made by Board member John Baus and seconded by Board member Jan Grossman that the zoning text amendment **is approved as it is consistent with the Town's Comprehensive Land Use Plan and is reasonable and in the public interest** because it is consistent with:

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

- Encourage in-fill, mixed use, and context-sensitive development.
- "Study/implement a railroad overlay district to encourage redevelopment along the railroad corridor, especially in areas with access to existing/future greenway" (p. 67).

Goal 5: Create Opportunities for a Sustainable Economy.

- Promote the growth of existing local businesses and Waynesville's "maker economy."
- Promote Waynesville's downtown districts, inns, restaurants, and reputation as the "Gateway to the Smokies."
- "Review the LDS to create opportunities within the Town of Waynesville's industrial areas and along the railroad corridor" (p. 70).

The motion was carried unanimously.

2. Additionally, the Planning Board **recommends that the Town Council adopt the text amendment** to create a Railroad Overlay District (RR-O) and its uses. Planning Board member Ginger Hain made a motion, seconded by Board member Peggy Hannah, to recommend the text amendment to the Town Council as presented.

The motion passed unanimously.


Susan Teas Smith, Planning Board Chair

7/26/23
Date


Esther Coulter, Administrative Assistant

7-26-23
Date

Waynesville Town Council Staff Report

Subject: Text amendment to establish a Railroad Overlay District (RR-O) and its uses
Ordinance Section: Sections 2.5.3 and 2.6 of the Land Development Standards (LDS)
Applicant: Railroad Subcommittee initiated text amendment; Development Services
Meeting Date: September 12, 2023

Background:

The 2035 Comprehensive Land Use Plan includes various suggestions for promoting economic growth along the Waynesville railway corridor:

- “Promote redevelopment along the railroad and planned greenway corridor” (p. 29).
- “Preserve industrial uses along the railroad corridor” (p. 29).
- “Create an overlay district or policy for track-adjacent or greenway-adjacent development to allow more housing and mixing of uses (including industrial along the railroad)” (p. 29).
- “Re-use of under-utilized industrial or commercial properties” (p. 29).
- “The proposed design utilizes strategic infill development ... it includes railroad track adjacent development and the compatible integration of diverse and multiple uses in an urban mixed-use form” (p. 36).
- “Leverage the low vacancy rate (2%) in downtown to create business opportunities in Frog Level and Hazelwood” (p. 44).
- “Study/implement a railroad overlay district to encourage redevelopment along the railroad corridor, especially in areas with access to existing/future greenway” (p. 67).
- “Review the LDS to create opportunities within the Town of Waynesville’s industrial areas and along the railroad corridor” (p. 70).

Zoning can encourage the reuse of existing buildings, introduce more allowed uses and flexibility and revitalize the underutilized rail corridor. Per 2035 Comp Plan recommendations, the Planning Board created an ad hoc committee that focused on implementing these goals. Today, the staff presents you a part of the subcommittee’s work- establishment of the Railroad Overlay District (RR-O) in the LDS and its uses. The RR-O would allow more types of businesses than the underlying districts to promote zoning flexibility, infill redevelopment, and economic revitalization of the areas along the tracks.

Once established, the overlay could be applied through a rezoning/map amendment process to areas along the railroad corridor. Staff will come back to the Council with the map amendment to apply this district to proposed areas in Frog Level and Hazelwood, as recommended by the Subcommittee and Planning Board.

The staff presented the subcommittee’s work to the Planning Board and received additional feedback on June 19, 2023. On July 17, 2023 the Board unanimously recommended the text amendment to the Council.

Staff Recommended Text Changes and Consistency with the 2035 Comprehensive Plan:

Staff submits that the proposed text amendments to the LDS are consistent with the 2035 Comp Plan goals:

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

- Encourage in-fill, mixed use, and context-sensitive development.

- “Study/implement a railroad overlay district to encourage redevelopment along the railroad corridor, especially in areas with access to existing/future greenway” (p. 67).

Goal 5: Create Opportunities for a Sustainable Economy.

- Promote the growth of existing local businesses and Waynesville’s “maker economy.”
- Promote Waynesville’s downtown districts, inns, restaurants, and reputation as the “Gateway to the Smokies.”
- “Review the LDS to create opportunities within the Town of Waynesville’s industrial areas and along the railroad corridor” (p. 70).

The proposed changes to the LDS include:

- Add a narrative in LDS Section 2.6 describing the district’s purpose and allowed uses.
- Add a notation about the new overlay district in the Table of Permitted Uses (LDS 2.5.3).

The proposed changes are shown **in red**.

Attachments:

1. Cover sheet
2. Consistency Statement Worksheet
3. Report from the Planning Board
4. Staff Report
5. Exhibit: Examples
6. Newspaper Notice

Recommended Motions:

1. Motion to find that the Ordinance is consistent with the 2035 Comprehensive Plan and that it is reasonable and in the public interest.
2. Motion to adopt the Ordinance as presented (or as amended).

2.5.3 Table of Permitted Uses (rev. 2012, 2016, 2017, 2018, 2020, 2022, 2023):

For uses permitted in the Railroad Overlay District (RR-O), see Section 2.6 Overlay Districts of the LDS.

USE TYPES	Residential-Low Density Districts (RL)				Residential-Medium Density Districts (RM)				Neighborhood Residential (NR)							
	CC-RL	EN-RL	FC-RL	HT-RL	CP-RM	D-RM	HM-RM	SW-RM	AC-NR	LL-NR	MS-NR	N-NR	PS-NR	PC-NR	RC-NR	S-NR
RESIDENTIAL																
Dwelling-Single Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dwelling-Two Family	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dwelling-Townhome	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dwelling - Cottage	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dwelling-Multifamily	-	-	-	-	P	P	-	P	P	P	P	P	P	P	P	P
Dwelling-Accessory	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
Family Care Home (6 or fewer residents)	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
Halfway Houses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Home Occupation	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
Live-Work Units	PL/PS	-	-	-	-	PL/PS	-	PL/PS	-	PL/PS	-	PL/PS	-	-	PL/PS	-
Manufactured Home Parks	-	-	-	-	-	-	-	-	SUP	-	-	-	-	-	-	-
Manufactured Housing	-	-	PS	PS	PS	PL/PS	-	PS	PS	-	-	PS	-	-	-	PS
Residential Care Facilities (More than 6 residents)	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP

LODGING																
Bed and Breakfast Homes (Up to 4 Rooms)	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS
Boarding House	-	-	PS	-	PS	-	-	PS	PS	PS	PS	-	-	-	-	-

Example

Current Table of Permitted Uses (LDS 2.5.3):

Use	Commercial Industrial District	Central Business District
Freight Hauling/ Truck Terminals	P	—

Railroad Overlay:

Uses	Railroad Overlay Districts (RR-O)
Freight Hauling/Truck Terminals	SUP



TOWN OF WAYNESVILLE

Development Services Department

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9 South Main Street

Waynesville, NC 28786

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

www.waynesvillenc.gov

FOR PUBLICATION IN THE MOUNTAINEER: August 23 and August 30 Wednesday Editions

Date: August 16, 2023

Contact: Olga Grooman, (828) 356-1172

Notice of Public Hearings

Waynesville Town Council

Waynesville Town Council will hold **three (3) public hearings on September 12, 2023 beginning at 6:00 pm** or as closely thereafter as possible in the Town Hall Board Room, located at 9 South Main Street, Waynesville, NC, to consider three (3) text amendments:

1. Addition of an "Event Space" as a stand-alone use to the Land Development Standards (LDS): definition and supplemental standards.
2. Creation of a Railroad Overlay District: purpose, standards, uses.
3. Definition of "Freight Hauling/Truck Terminals."

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

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date 9/12/23**

SUBJECT Resolutions pertaining to the Town's \$1,009,543 Community Development Block Grant (CDBG)

AGENDA INFORMATION:

Agenda Location: New Business

Item Number:

Department: Water and Sewer

Contact: Elizabeth Teague

Presenter: Elizabeth Teague

BRIEF SUMMARY : The State has awarded the Town a \$1,009,543 CDBG grant to replace aging water and sewer lines in areas that meet "low to moderate income" criteria. The staff discovered areas of inflow/infiltration in the sewer lines and significant deterioration of the water lines along Franklin, Hendrix and Muse Streets. Attached are two resolutions, one for the water improvements and another for the sewer improvements. They state that after the Town replaces the water and sewer lines it will adopt fees and charges necessary to maintain the lines.

MOTION FOR CONSIDERATION: Approve each resolution by separate motion.

FUNDING SOURCE/IMPACT: Water, Sewer Fund

ATTACHMENTS: Resolution regarding the water system improvements
Resolution regarding the sewer system improvements

MANAGER'S COMMENTS: I am including the two resolution in the regular agenda rather than the consent agenda out of an abundance of caution. Karen Kiehna has read a number of lengthy documents into the Council record to meet CDBG guidelines. In keeping with the grant's requirement that all elements of the program be "spread upon the record" I placed the resolutions on the regular agenda.

Develop and Implement a New Stormwater Utility Project Resolution and Form for Certification by the Recording Officer

RESOLUTION BY TOWN OF WAYNESVILLE TOWN COUNCIL

WHEREAS, Title I of the Federal Housing and Community Development Act of 1974, as amended, has established the U.S. Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program, and has authorized the making of grants to aid eligible units of government in funding the cost of construction, replacement, or rehabilitation of water and wastewater infrastructure, and that the North Carolina Department of Environmental Quality (NCDEQ) Division of Water Infrastructure (DWI) was delegated the authority by the state legislature to administer the water and wastewater infrastructure portion of the state grant monies received from the U.S. HUD Small Cities (States) CDBG program by Session Law 2013-360, Section 15.15(a) as amended by Section 5.3 of Session Law 2013-363, and

WHEREAS, The Town of Waynesville has need for and intends to implement a construction project described as South Waynesville Public Water System Improvements Project. Proposed activities include replacement of deteriorated sewer lines and appurtenances for the of eliminating inflow and infiltration. The project area includes Franklin Street, Hendrix Street and Muse Street, and

WHEREAS, The Town of Waynesville intends to request State grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE:

That Town of Waynesville the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Rob Hites, Town Manager, the **Authorized Representative**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the construction of the project described above.

That the **Authorized Representative**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, ordinances, and funding conditions applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 12th of September 2023 at Town hall, Waynesville, North Carolina.

Mr. Gary Caldwell

Mayor, Town of Waynesville

FORM FOR CERTIFICATION BY THE RECORDING OFFICER

The undersigned duly qualified and acting Town Clerk of the Town of Waynesville does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Waynesville Town Council duly held on the 12th of September, 2023 and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of September 2023.

Candace Poolton

Town Clerk

Develop and Implement a New Stormwater Utility Project Resolution and Form for Certification by the Recording Officer

RESOLUTION BY TOWN OF WAYNESVILLE TOWN COUNCIL

WHEREAS, Title I of the Federal Housing and Community Development Act of 1974, as amended, has established the U.S. Housing and Urban Development (HUD) Community Development Block Grant (CDBG) Program, and has authorized the making of grants to aid eligible units of government in funding the cost of construction, replacement, or rehabilitation of water and wastewater infrastructure, and that the North Carolina Department of Environmental Quality (NCDEQ) Division of Water Infrastructure (DWI) was delegated the authority by the state legislature to administer the water and wastewater infrastructure portion of the state grant monies received from the U.S. HUD Small Cities (States) CDBG program by Session Law 2013-360, Section 15.15(a) as amended by Section 5.3 of Session Law 2013-363, and

WHEREAS, The Town of Waynesville has need for and intends to implement a construction project described as South Waynesville Phase II Sanitary Sewer System Improvement Project. Proposed activities include replacement of deteriorated sewer lines and appurtenances for the of eliminating inflow and infiltration. The project area includes Franklin Street, Hendrix Street and Muse Street, and

WHEREAS, The Town of Waynesville intends to request State grant assistance for the project,

NOW THEREFORE BE IT RESOLVED, BY THE TOWN COUNCIL OF THE TOWN OF WAYNESVILLE:

That Town of Waynesville the **Applicant** will adopt and place into effect on or before completion of the project a schedule of fees and charges and other available funds which will provide adequate funds for proper operation, maintenance, and administration of the system.

That the **Applicant** will provide for efficient operation and maintenance of the project on completion of construction thereof.

That Rob Hites, Town Manager, the **Authorized Representative**, and successors so titled, is hereby authorized to execute and file an application on behalf of the **Applicant** with the State of North Carolina for a grant to aid in the construction of the project described above.

That the **Authorized Representative**, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with such application or the project; to make the assurances as contained above; and to execute such other documents as may be required in connection with the application.

That the **Applicant** has substantially complied or will substantially comply with all Federal, State, and local laws, rules, regulations, ordinances, and funding conditions applicable to the project and to Federal and State grants and loans pertaining thereto.

Adopted this the 12th of September 2023 at Town hall, Waynesville, North Carolina.

(Mr. Gary Caldwell)

Mayor, Town of Waynesville

R-17-23

Develop and Implement a New Stormwater Utility Project Resolution and Form for Certification by the Recording Officer

FORM FOR CERTIFICATION BY THE RECORDING OFFICER

The undersigned duly qualified and acting Town Clerk of the Town of Waynesville does hereby certify: That the above/attached resolution is a true and correct copy of the resolution authorizing the filing of an application with the State of North Carolina, as regularly adopted at a legally convened meeting of the Waynesville Town Council duly held on the 12th of September, 2023 and, further, that such resolution has been fully recorded in the journal of proceedings and records in my office. IN WITNESS WHEREOF, I have hereunto set my hand this 12th day of September 2023.

Candace Poolton

Town Clerk

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: 9/12/23**

SUBJECT Appointment of Sustainability Commission

AGENDA INFORMATION:

Agenda Location: Old Business

Item Number:

Department: Governing Board

Contact: Councilmember Dickson

Presenter: Councilmember Dickson

BRIEF SUMMARY : The Town Council approved the creation of a Sustainability Commission during a previous meeting. The Commission will chart a course to make the Town carbon neutral by 2050. It will develop programs to make buildings and residences energy efficient, promote electric vehicles, and promote efficient building standards. Applications for membership have been solicited on our website.

MOTION FOR CONSIDERATION: Approve the membership of the Sustainability Commission

FUNDING SOURCE/IMPACT: All funds

ATTACHMENTS:

MANAGER'S COMMENTS: See Above.

**TOWN OF WAYNESVILLE TOWN COUNCIL
REQUEST FOR COUNCIL ACTION
Meeting Date: September 12, 2023**

SUBJECT: Interview Logistics for Waynesville Housing Authority applicant

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 Housing Authority has one vacancies. Per the Boards and Commissions manual, potential WHA members must be interviewed prior to being appointed. Staff is requesting that Council decides who will be interviewing Mr. Newell, and when.

MOTIONS FOR CONSIDERATION

N/A

FUNDING SOURCE/IMPACT

N/A

MANAGER'S COMMENTS AND RECCOMENDATIONS

ATTACHMENTS: