

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
JANUARY 28, 1997
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, January 28, 1997. Members present were Mayor Henry Foy, Aldermen Gary Caldwell, Earl Clark, J. Kenneth Moore and James Williamson. Also present were Town Manager A. Lee Galloway, Town Clerk Phyllis McClure and Town Attorney Michael Bonfoey. Mayor Foy called the meeting to order at 7:00 p.m.

Mr. Al Swiger - Marcus Cable

Mr. Al Swiger, General Manager of Marcus Cable, said they are currently in the process of upgrading the cable system. This upgrading will improve picture quality and add more channels to the system. Effective March 1, 1997 some of the new channels will be added and the upgrading is scheduled for completion by November, 1997. In 1996 Marcus Cable spent \$2,176,558 to upgrade their system. In 1997 Marcus Cable plans to spend \$3,000,000; \$1,306,812 will be spent in Waynesville alone.

Mr. Swiger also discussed the possibility of beginning negotiations for renewal of the franchise which the Town granted Marcus Cable to operate a cable system in Waynesville. A public hearing has been scheduled for February 25, 1997, in order to give the public an opportunity to comment regarding renewal of the franchise agreement with Marcus Cable. During the negotiations Marcus would like to reopen and combine the Waynesville and Hazelwood franchises.

Minor Subdivision - Velma Crawford - Locust Drive

Attorney Jack Kersten, representing Ms. Velma Crawford, requested approval of a minor subdivision. Ms. Crawford is dividing a 2.258 acre lot into three parcels. This property is located on Locust Drive near the intersection with Plott Creek Road. The subdivision meets Town standards and is recommended for approval by Town Staff.

Alderman Williamson moved, seconded by Alderman Caldwell, to approve the minor subdivision. The motion carried unanimously.

Annexation Petition - 101/102 Magellan Drive - Maria Hendrix and Margot Amick

Town Manager Galloway said the Town had received a request for annexation from Ms. Maria Hendrix and Ms. Margot Amick for two lots which they own on Magellan Drive, located off of Buchanan Cemetery Road. They plan to construct two homes at this location.

Alderman Moore moved, seconded by Alderman Williamson, to adopt a resolution instructing the Town Clerk to investigate the sufficiency of the petition. The motion carried unanimously. (Res. No. 2-97)

Request by Downtown Waynesville Association To Close a Portion of Main Street - April 26

Downtown Waynesville Association and the Haywood County Arts Council will co-sponsor the Razzle Dazzle Saturday for children on April 26, 1997. They have asked to use the Fire Station and parking area in front for various demonstrations and the Board Room for some presentations. They have also requested that a portion of Main Street between Church and Pigeon Streets be closed for this event from 7:00 a.m. until 3:30 p.m. on that day.

Alderman Williamson moved, seconded by Alderman Clark, to approve the request to close the portion of Main Street on April 26, 1997. The motion carried unanimously.

Six Month Financial Report

Finance Director Eddie Caldwell presented a financial report as of December 31, 1996. Mr. Caldwell said that the Department Heads and Town Manager have been cutting back on expenditures now in order to prepare for the closing of Dayco and the impact which this closing will have on the Town. The Town will loss water, sewer and tax revenues. Mr. Caldwell reported that the Town is in a good financial position at the end of this six month report. The Board thanked Mr. Caldwell for his report, adding that he is doing a good job for the Town.

Amendment No. 1 to the 1996-1997 Budget Ordinance

Town Manager Galloway reported that a few months ago the Police Department made application to the federal government for a grant to assist with dealing with crime. Police Chief Frank Ross said one of the primary goals of the Police Department is to have more officers assigned to work areas where significant drug problems exist. One example is in the Craven/Hillside area where drugs were openly sold on the street. Extra patrol and part time officers were used to try and curtail some of these activities, with several arrests being made. The North Carolina Department of Corrections was used to help clean up the area and an active community watch program was begun. Significant progress has been made in this area. Town Manager Galloway said that he attended a function on Saturday, January 25th where several people approached him to express their appreciation for what the Town has done to clean up their neighborhood.

This grant allows \$57,890 in federal funding. The grant will require continuation of funding for our part time officers. The intent is to continue work on the problems with drugs in Waynesville and to build on partnerships with the community. The Town has already been approved for this grant which is effective December 1, 1996. The grant goes into effect when the Town puts the program into effect and begins to spend the money.

The item was deferred until the next meeting of February 25th, in order for the Board to gain more information regarding the grant.

Power Purchase Contract With the Southeastern Power Administration

Town Manager Galloway said the Town of Waynesville, as well as other utility companies, has had the opportunity to purchase electrical power from the Tennessee Valley Authority through the Southeastern Power Administration (SEPA). The Town was recently contacted by SEPA, asking that we consider amendments to the contract we have with that federal office.

The Town contacted Andy Givens, their consultant on electrical matters, to review the proposed contract from SEPA. Mr. Givens feels that the proposed contract will grant the Town some protection as far as the rates the Town will pay for the SEPA power in the immediate future, and it is his recommendation that the Town adopt the contract.

Director of Public Works/Utilities Fred Baker, said some of the electricity we purchase comes from the Cumberland River Basin in the Tennessee Valley Authority. It took considerable effort on the part of the previous administration to obtain the original contract with SEPA for the purchase of this electricity. The electricity purchased from the TVA costs about 1/3 what we pay for other electricity. Mr. Baker recommended approval of the 20 year contract with SEPA. The current contract expires in 2004.

Alderman Clark moved, seconded by Alderman Caldwell, to approve the 20 year contract with SEPA, with amendments as recommended. The motion carried unanimously. (Cont. No. 2-97)

Special Order by Consent on the Town's Wastewater Treatment Plant

Director of Public Works/Utilities Fred Baker, reported that the Town has been struggling with leaky sewers for decades. This issue has become more pressing recently since these groundwater infiltration problems are creating violations in our permit conditions. On the advise of our legal counsel, Mr. Baker has been in negotiations with the State on renewal of the permit and on the issuance of a Special Order by Consent in which the Town and State come to an agreement by which the Town will attempt to resolve the problems in the operations.

In order to resolve this issue the Town must develop a plan of action, commit money in the budget, and identify specific sewer lines which are in disrepair. The Town must commit to make repairs by March, 1998 and complete enough repairs to meet the allowable limits by March, 1999. The Town has spent \$39,000 this year doing TV inspections of approximately 16,500 feet of sewer line. 162 feet of sewer line has been lined, 27 point repairs have been completed, and 17 manhole replacements have been completed. Approximately 100 miles of sewer line go into the Wastewater Treatment Plant. In order for this plan to work, Lake Junaluska will also need to correct problems on their sewage collection system. Browning Branch/Avery/Playground/Allens Creek/Valley View Circle/Chestnut Walk/Oakdale/Duckett Cove/Davis Cove/Children/Farley/Broad/Georgia Avenue and Camelot Drive are areas in the Town's system which have identified to have groundwater infiltration problems.

Alderman Caldwell moved, seconded by Alderman Moore, to authorize the Mayor to enter into a Special Order by Consent Agreement with the State of North Carolina. The motion carried

unanimously. (Cont. No. 3-97)

Citizen Complaint Regarding Ordinance Dealing With Junked/Abandoned Vehicles

Mr. Joe Edwards told the Board that he received a letter from the Town's Code Enforcement Official on January 15, 1997 stating that an abandoned or junked vehicle was being allowed to remain on his premises and asking that he remove the vehicle within 14 days. Mr. Edwards said the vehicle on his property was used as a race truck and was not a junked or abandoned vehicle. He said that he does not have a garage because the Town won't let him build one since a sewer line runs down his back yard. Mr. Edwards said this vehicle was a hobby and he did not feel that the ordinance addressed this type of vehicle. Mr. Edwards also stated that when he visited the Code Enforcement Office some comments were made which were unprofessional. He felt that the Code Enforcement Officials should stop and talk to individuals about the vehicles on their property before they send letters.

Mr. Ralph Ferguson said that he also received a letter, addressed to Ms. Bonnie Pless, regarding a junked or abandoned vehicle. Mr. Ferguson stated that the Town should not be allowed to tell him what he can and can't have on property. He had permission from the property owner to place the vehicle at this location and does not think that the vehicle should have to be removed.

Shelby Cagle, 310 Allens Creek Road, said that she had vehicles on her property for which she received a letter asking that they be removed. Ms. Cagle said the vehicles were being restored by her son and that one was used as a race car.

Town Attorney Bonfoey said the purpose of the Town's ordinance is to keep Waynesville from becoming a parking lot for junked or abandoned vehicles. Attorney Bonfoey said that any person could draft an ordinance and ask the Board of Aldermen to consider it for adoption.

Report by Town Manager Galloway

Town Manager Galloway reported that he recently visited Associated Packaging, the new industry on Howell Mill Road located in the building formerly occupied by Lowe's. They seem pleased with their operation and are anxious to add a third and fourth line this Fall to produce plastic containers. Associated Packaging commented that Waynesville has done everything so far that they have committed to do.

Adjournment

With no further business, Alderman Williamson moved, seconded by Alderman Caldwell, to adjourn the meeting at 9:19 p.m. The motion carried unanimously.

Phyllis R. McClure

Henry B. Foy

Town Clerk

Mayor