

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
JULY 15, 1997
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, July 15, 1997. Members present were Mayor Henry Foy, Aldermen Gary Caldwell, Earl Clark, 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.

Approval of Minutes of June 3, June 17 and June 24, 1997.

Alderman Caldwell moved, seconded by Alderman Clark, to approve the minutes of the June 3, June 17 and June 24, 1997 meetings as presented. The motion carried unanimously.

Public Hearing - Consider Renaming of Buchanan Cemetery Road to Pinewood Drive

The Town received a petition requesting that the name of Buchanan Cemetery Road be changed to Pinewood Drive. Buchanan Cemetery Road currently begins at Browning Branch Road, extending to a point at the cemetery. The road name then changes to Pinewood Drive. As required by Town Ordinance, a legal notice announcing this proposed change was advertised and notices were sent to each adjacent property owner advising of the public hearing.

Attorney Bonfoey opened the public hearing. Sam McClure spoke in favor of the renaming, stating that the renaming would eliminate duplicate road names and help 911 when responding to emergencies.

Alderman Williamson moved, seconded by Alderman Caldwell, to approve the renaming of Buchanan Cemetery Road to Pinewood Drive. The motion carried unanimously. (Ord. No. 33-97)

Special Recognition - Waynesville Police Department

Police Chief Frank Ross recognized several police department employees who have earned special recognition in recent months. Chief Ross said two employees had been recognized as "Women of The Year" for 1997. Vera Freeman was recently named the American Business Women's Association "Woman of The Year". Ms. Freeman is actively involved in Boy Scouts and other organizations. Iris Davis, Criminal Investigator with the Waynesville Police Department, was recognized for Outstanding Law Enforcement. Ms. Davis has been involved in educational training, the Community Watch Program, Civilian Police Academy and various other programs. Scott Muse, Criminal Investigator with the Waynesville Police Department, has been assigned to the Domestic Violence Enforcement Team. Mr. Muse recently received his Advanced Law Enforcement

Certification and his Criminal Investigation Certification.

Mayor Foy congratulated Vera Freeman and Iris Davis, adding that they were both very well thought of and appreciated for their dedication in their work. Mayor Foy then congratulated Scott Muse for his accomplishments and dedication to his work. The Board expressed their appreciation to all three employees and said that they were proud of the strides being made by the Police Department.

Mark Bumgarner - Waynesville Rotary Club - East Street Park

Mark Bumgarner, a member of the Waynesville Rotary Club, said that their organization was searching for several projects which they could do this year. They were looking for a project in which everyone could be more involved. For several years the Boy Scout Troop 318 has been meeting at a log cabin structure located at the East Street Park in Waynesville. Mr. Bumgarner said that Mayor Foy was involved in the construction of this structure around 1937 and that some of the logs came off of the Waynesville Watershed property. Mr. Bumgarner said that he has consulted with Larry Clark, with Clark and Leatherwood regarding the rehabilitation and condition of the structure. Mr. Clark said there was a lot of deterioration to the structure, mainly due to a leaking roof which has caused damage to some of the logs. Replacement of these logs is possible; however, the cost would be approximately \$16,000. This would only resolve the obvious problems; hidden problems may exist which would cost more money in the future. Another estimate for approximately \$17,000 was given to take the structure down to the foundation and rebuild. Mr. Clark said all the floor joists appear to be structurally sound except the section below the water leak in the roof. Costs for heat, air conditioning, plumbing, permits and fees were not included in the estimate.

Mayor Foy said he remembered doing the work on this building on Saturdays. A town truck brought the logs, one of the boy scouts brought his father's mule and the janitor at the school did the actual construction.

It was the consensus of the Board to authorize the Rotary Club to proceed with the project to rebuild the log cabin structure at the East Street Park. Town Manager Galloway will work with Larry Clark to get estimates for other items of construction not included in the \$17,000 estimate.

Natural Gas Franchise

Mr. Don Hallingse, Asheville Manager of Public Service Company of North Carolina, said that he had met with Fred Baker, Director of Public Works/Utilities for Waynesville, on June 20 regarding the proposed routes for the gas lines. Mr. Hallingse said that Mr. Baker did not see any problems with the proposed routes. Mr. Hallingse also said that he had met with Waynesville's mechanical inspector, gathering information on what is needed before construction begins. Public Service Company will soon send out letters to volunteer fire departments and the Waynesville Fire Department to provide natural gas training for firefighters. Mr. Hallingse said his company plans to bring in contractors in late July, hopefully awarding bids for construction in late August, with a "kick-off" date in October. A completion date is planned for June 30, 1998. Public Service Company currently has a marketing representative in Waynesville who is contacting residential customers. Bill McColley met with Town Manager Galloway this afternoon regarding finalizing the

details of the franchise agreement between Public Service Company and the Town of Waynesville.

Audit Contract

Town Manager Galloway said the firm of Ray, Bumgarner, Kingshill and Associates, have performed the annual audit of the Town's financial records for the past several years. Each year, the Board must approve the terms proposed by the firm for preparation of the audit by entering a formal contract with the firm.

Alderman Williamson moved, seconded by Alderman Moore, to approve the contract with Ray, Bumgarner, Kingshill and Associates at a cost of \$18,000 in 1997 and \$18,500 in 1998. The motion carried unanimously. (Cont. No. 12-97)

Ordinance Directing the Building Inspector to Remove or Demolish Property on Hillside Road

The Code Enforcement Officer has been dealing with another dilapidated structure located on Hillside Road (PIN #8615-55-2013). According to the Code Enforcement Official the house is in a serious state of neglect with floors falling through, windows and doors broken out, and there is evidence of fire damage, vandalism and drug usage. The Code Enforcement Official has determined that the building is unsafe, is a fire and health hazard and that it would not be economically feasible to repair the structure. It is his recommendation that the Board adopt an ordinance authorizing the Building Inspector to proceed with demolition and removal of the structure. A lien will be placed against the property so that the Town can recover the cost of the work.

Alderman Moore moved, seconded by Alderman Clark, to adopt an ordinance authorizing the building inspector to remove or demolish the property described as unfit for human habitation which is located on Hillside Road (PIN #8615-55-2013). The motion carried unanimously. (Ord. No. 34-97)

Issue of Road Construction to Serve Carolina Tire and Stereo Innovations

Town Manager Galloway said that when Mr. Phil Mechanic proposed the further development of North Main Commons, he proposed that it be subdivided under a Planned Unit Development. When the Town approved the subdivision the posting of a bond was required to assure that the improvements proposed would be completed. One of these improvements was the proposed construction of a private road which would extend from Broadview Road to North Main Street.

The new Carolina Tire Store and the building for Stereo Innovations have proceeded through the spring and into summer, however, the owner of the property has not constructed and paved the road as he committed to do.

Town Attorney Bonfoey said that prior to the Town using the bond proceeds to pay for the site improvements, the Town must give the owner notice of a deadline for completion.

Alderman Clark moved, seconded by Alderman Caldwell, to direct Town Attorney Bonfoey to begin

the process for the Town to use the bond proceeds to pay for the site improvements at North Main Commons. The motion carried unanimously.

Minor Subdivision Plat - Waynesville Country Club - Chelsea Rod

The Waynesville Country Club owns a 2.006 are lot on the corner of Browning Road and Chelsea Road. The property is zoned "C-4", Tourist commercial District, and the Waynesville Country Club is dividing the lot into two (2) parcels to construct a motel building on each lot. The lots meet or exceed Town standards and Town staff recommends approval.

Attorney Jack Kersten, representing Waynesville Country Club, requested approval of a minor subdivision located on Chelsea Road, behind the 7th Green at the Waynesville Country Club Golf Course. Attorney Kersten said that the owner wanted to build 24 additional rooms (2 buildings with 12 rooms each). Attorney Kersten said the owner plans to demolish the old hotel.

Alderman Williamson moved, seconded by Alderman Moore, to approve the minor subdivision as requested by Waynesville Country Club. The motion carried unanimously.

Clarification of Minutes of March 24, 1997 Meeting Concerning the Closing of an Unimproved Street Located Between Assembly Street and Howell Street

On March 24, 1997, the Mayor and Board took action on a request to close and abandon a portion of an unopened street between Howell and Assembly Streets. When the minutes were prepared by Town Clerk Phyllis McClure, they were written in such a way that it is not perfectly clear what the Board intended with their action on March 24. Those minutes appeared as follows:

"Alderman Moore moved seconded by Alderman Williamson, to abandon the northern portion of the unimproved street between Assembly and Howell Streets, with the Town continuing to maintain a 30' right-of-way. The motion carried unanimously."

It is recommended that the minutes of March 24, 1997, be changed for clarification by adding the following language:

"Alderman Moore moved, seconded by Alderman Williamson, to abandon the northern portion of the unimproved street between Assembly and Howell Streets, abutting the property owned by Richard Miller, with the Town continuing to maintain a 30' right-of-way in the southern portion of this unimproved street. The motion carried unanimously."

Alderman Moore moved, seconded by Alderman Williamson, to clarify the minutes of the March 24, 1997, meeting as recommended. The motion carried unanimously.

Establishment of Zoning Task Force

Mayor Foy said that the appointment of a Zoning Task Force Committee was needed to review zoning regulations as they relate to major subdivisions. The Board recently placed a ninety day moratorium on major subdivision developments. Mayor Foy recommended that the Committee consist of five (5) members; two (2) from the Town's Zoning Board and three (3) at large.

Alderman Caldwell moved seconded by Alderman Clark, to establish a Zoning Task Force Committee and to authorize Mayor Foy to appoint five (5) members to the Committee. The motion carried unanimously.

Establishment of Historic District Study Committee

Mayor Henry Foy said that the establishment of a Historic District Study Committee is required by the State in order for Waynesville to have a Historic District Zoning. The membership for this Committee has been recommended by the Historic Preservation Commission as follows: 2 - Planning Board; 2 - Board of Aldermen; 2 - Downtown Waynesville Association; 1 - Waynesville Historical Society; 1 - Haywood County Chamber of Commerce; 2 - Historic Preservation Commission.

Alderman Williamson moved, seconded by Alderman Moore, to establish a Historic District Study Committee and authorize Mayor Foy to appoint the ten (10) members as recommended by the Historic Preservation Commission. The motion carried unanimously.

Gambling Impact Study

Mayor Foy said that a study was done by Steve Eller, with the Southwestern North Carolina Planning and Economic Development Commission, regarding the economic and social implications of casino gambling on the Cherokee Indian Reservation and Western North Carolina. Mayor Foy suggested that the Board meet with Mr. Eller to get an update from this study and to discuss the impact of gambling on Waynesville regarding such issues as infrastructure, zoning, and law enforcement.

Adjournment

With no further business, Alderman Williamson moved, seconded by Alderman Caldwell, to adjourn the meeting at 8:00 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor