

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
AUGUST 26, 1997
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, August 26, 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 August 12 and August 19, 1997

Alderman Caldwell moved, seconded by Alderman Clark, to approve the minutes of the August 12 and August 19, 1997 meetings as presented. The motion carried unanimously.

Rezoning Request - Key Development Corporation - Belleview Road - R-2 to R-3

On August 12, 1997, a public hearing was held regarding a request by Key Development Corporation to rezone a 7.131 acre tract of property located off Belleview Road and Burma Drive from R-2 to R-3. At that time the Board decided to postpone a decision for two weeks in order for the Planning Board to begin the process for an amendment which would allow a residential planned unit development as a conditional use in the R-2 zoning district. Mayor Foy said that the proposed amendment would be discussed at a public hearing scheduled for September 9, 1997.

Alderman Caldwell moved, seconded by Alderman Williamson, to postpone a decision until after the public hearing on September 9, 1997. The motion carried unanimously.

Public Service Company of North Carolina - Natural Gas Franchise

At the meeting of August 12, 1997, the Board approved the first reading of the thirty year franchise proposal for Public Service Company of North Carolina, subject to changes as recommended by Town Attorney Bonfoey. In order for the franchise to be effective, the Board must approve it on a second reading.

Mr. Don Hallingse, District Manager of Public Service Company, said that his company was in the process of redrafting the franchise agreement to reflect the changes recommended by Town Attorney Bonfoey. Attorney Bonfoey stated that he felt comfortable with the changes after talking with the attorney representing Public Service Company.

Alderman Williamson moved, seconded by Alderman Clark, to approve the thirty year franchise agreement with Public Service Company of North Carolina, subject to the changes as recommended by Town Attorney Bonfoey. The motion carried unanimously. (Ord. No. 35-97)

Marcus Cable Company - Cable System Operating Franchise

On Tuesday, August 19, 1997, the Mayor and Board of Aldermen held a special meeting to discuss the franchise for Marcus Cable. Mr. Al Swiger, District Manager of Marcus Cable Company, attended that meeting.

Alderman Williamson was concerned with granting a 15 year franchise to Marcus Cable. Mayor Foy said that he would like to see a unanimous decision regarding the Marcus Cable Company Franchise Agreement. Mayor Foy suggested that the Board talk with Marcus Cable Company again regarding their concerns. It was the consensus of the Board to postpone a decision regarding the franchise.

Ms. Edith Allen, 44 Pennant Drive, Waynesville, North Carolina, said that when Marcus Cable announced that they would be adding new channels she requested that one of the channels include the Black Entertainment Network. Ms. Allen said that she was told that Marcus Cable needed to have a letter from every black person in Haywood County in order to add the channel. Ms. Allen presented a copy of the form letter mailed to Marcus Cable; however, she said that they have not received a response from Marcus Cable. Alderman Williamson suggested that she attend the meeting of September 9, 1997, in order to speak with Mr. Al Swiger, District Manager of Marcus Cable Company. No action was taken.

Agreement on Recreation Foundation

The Board of Aldermen previously authorized the creation of a Recreation Endowment for donations in support of the operation and maintenance of the proposed recreation facility. Mayor Foy said that the agreement regarding the Recreation Foundation has been reviewed by Town Attorney Bonfoey and the following changes were made, as requested by the Board of Aldermen: 1)... “with priority given to the operating expenses of the Town of Waynesville Recreation Department” ...,2) ...”In any of such events the Designated Endowment shall be redirected to recreational purposes in the Town of Waynesville, or, in the event that the Town of Waynesville does not exist, in the geographical area that once was Waynesville.” 3) add Exhibit A “Five Thousand Dollars (\$5,000.00) in cash as an initial contribution. Five Hundred Dollars (\$500.00) of the \$5,000.00 to be used as the “Acceptance Fee”.

Alderman Moore moved, seconded by Alderman Williamson, to accept the Agreement on Recreation Foundation as written. The motion carried with four (4) ayes (Caldwell, Moore, Williamson, Foy) and one (1) nay (Clark). (Cont. No. 14-97)

Award of Bids - Voltage Regulators

Town Manager Galloway said that during the budget process, the Board authorized \$75,000 in funds for replacement of some of the voltage regulators at the electric substation on Smathers Street. Manager Galloway said by having these in place, the Town can shut down ½ of the substation and operate the other portion. Bids were received on August 14, 1997 as follows:

Booth and Associates have reviewed the proposals and recommend that the bid be awarded to HESCO, Inc., for three 15kV 333kVA voltage regulators at a total cost of \$29,766.00. This price includes the actual purchase price; bids will be received at a later time for installation of the voltage regulators.

Alderman Caldwell moved, seconded by Alderman Moore, to award the bid as recommended to HESCO, Inc., at a total cost of \$29,766.00. The motion carried unanimously.

Speed Limit - Browning Road

Town Manager Galloway said that the Town recently received a request from residents of the Browning Road area to reduce the speed limit on Browning Road. The Waynesville Police Department reviewed the request and have submitted a recommendation that the Board of Aldermen consider reducing the speed limit on Browning Road from 35 miles per hour to 25 miles per hour.

Alderman Williamson moved, seconded by Alderman Clark, to reduce the speed limit on Browning Road from 35 miles per hour to 25 miles per hour. The motion carried unanimously. (Ord. No. 37-97)

Moratorium on Telecommunications Towers

Town Manager Galloway said that one of the issues which arose during the past few months concerns placement of telecommunications towers. In order for the Town to develop an ordinance which will address this issue, Attorney Bonfoey and Zoning Director/Planning Officer John Swift have requested that the Board declare a moratorium on any telecommunications towers. Attorney Bonfoey said since this involves zoning the Board would need to conduct a public hearing to consider a moratorium regarding this issue.

Alderman Williamson moved, seconded by Alderman Moore, to set a public hearing date of September 23, 1997, to consider a moratorium regarding telecommunications towers. The motion carried unanimously.

Annual Tax Settlement

Town Manager Galloway presented the annual tax settlement submitted by Tax Collector Beverly Guy. According to Ms. Guy's report, as of June 30, 1997, 95.83% of real estate property taxes had been collected. 75.23% of the 1996 motor vehicle tax collections were collected by Haywood County, which reduces the total collection rate to 94% for the Town. Town Manager Galloway said that overall the tax collections were good for this time period. No action was necessary.

Request for Funding by Hart

Mayor Foy said that he had received a request for funding by HART. Alderman Moore suggested that the request be postponed for a couple of weeks; he said if the Town could not give merit raises to some employees they should not be giving money to organizations requesting additional funding. Alderman Clark said that the Town has a good Town Manager, Finance Officer and Staff who put the budget together. Alderman Clark added that the Town already approved \$10,000 for three years in a row for HART, and that HART should have requested additional funding at budget time. Alderman Williamson suggested that the request be postponed until a later date and that the Board talk about the funding request by HART and the funding request by Folkmoot at the same time. No action was taken.

Janitorial Services

Town Manager Galloway said that during the spring of 1996, the Town received bids for an outside, professional janitorial service for the Town's public buildings. At that time price quotes ranged from a low of \$13,000 to a high of \$21,000. When the 1997-98 budget was being prepared, an appropriation of \$16,000 was requested for the purpose of janitorial services. However, when bids were received only one bid of \$24,000 annually was received at the initial bid opening. When the work was rebid two additional bids were received at \$28,800 and \$34,692 annually. Town Manager Galloway recommended that the Town hire a new employee to perform janitorial and maintenance work. Town Manager Galloway said that this could accomplish a great deal more than just the janitorial work and cost less than \$24,000.

Alderman Clark moved, seconded by Alderman Caldwell, to authorize Town Manager Galloway to hire a new employee to perform the janitorial work. The motion carried with three (3) ayes (Caldwell, Clark, Foy) and two (2) nays (Moore, Williamson).

Minor Subdivision

Town Manager Galloway said that a request was received from Melita S. Gibbs for approval of a minor subdivision located within the Town's extraterritorial jurisdiction off of U.S. 276. Ms. Gibbs plans to subdivide a .637 acre tract out of a 2.2 acre tract. The request meets the Town's standards and is recommended for approval by the Town Staff with one condition: 1) that the petitioner submit the soil evaluation report for septic tank approval on the lot

Alderman Caldwell moved, seconded by Alderman Moore, to approve the request for a minor

subdivision plat subject to the soil evaluation report. The motion carried unanimously.

Recognition of Nick Messer

Mayor Foy said that Nick Messer, referred to by one of the past newspaper reporters as “The Fifth Alderman”, recently passed away. Mayor Foy said that Nick Messer loved Waynesville, and was complimentary about anything that the Board of Aldermen did which was positive for the Town. Mayor Foy, along with the Board of Aldermen, expressed their appreciation for Nick Messer, adding that he will be missed.

Adjournment

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

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor