

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
MAY 26, 1998
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, May 26, 1998. Members present were Mayor Henry Foy, Aldermen Gary Caldwell, J. Kenneth Moore, Sam Wiggins 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 - May 7, 12 and 20, 1998

Alderman Moore moved, seconded by Alderman Caldwell, to approve the minutes of the May 7, 12 and 20, 1998 meetings as presented. The motion carried unanimously.

Report on Bids - Former Hazelwood Town Hall

Town Manager Galloway said at the May 12, 1998, meeting an upset bid was received from Ronnie Shelton in the amount of \$24,725 for the former Hazelwood Town Hall property located at 1099 Brown Avenue. This bid was accepted by the Board of Aldermen and an advertisement appeared allowing interested parties the opportunity to submit an upset bid. Manager Galloway reported that no other bids were received.

Alderman Caldwell moved, seconded by Alderman Williamson, to accept the bid from Ronnie Shelton in the amount of \$24,725 for the purchase of property located at 1099 Brown Avenue, and to direct Town Attorney Bonfoey to begin the legal work in connection with the sale of the property to Mr. Shelton. The motion carried unanimously.

Attorney Bonfoey said that the closing on this property would be held at 3:30 p.m. on Thursday, May 28, 1998 at the Waynesville Town Hall.

Appeal of Building Inspector's Order Regarding Property Located at 250 Westwood Circle - Owned by Eleanor Coffey

On April 1, 1998, the Mayor and Board of Aldermen toured the Town to view the condition of various residential and commercial structures. The abandoned structure located at 250 Westwood Circle was named as the number one priority out of several dilapidated, abandoned, vacant and closed buildings and dwellings inside Waynesville's jurisdiction. An inspection by the Building Inspector found the property to be "unsafe and in a condition to constitute a fire hazard and danger to life, health and other property." At the direction of the Mayor and Board of Aldermen, Mr. Morgan began efforts to bring about the removal of the unsafe structure. A Notice of Hearing was

issued for May 4, 1998, at 10:00 a.m. After the hearing a Finding in Fact and Order was issued ordering the property owner to “demolish structure and remove debris from this location by a date no later than July 6, 1998”. Ms. Coffey then appealed the order of the Building Inspector to the Board of Aldermen.

Since that time some improvements have been made to the exterior of the building and some minor structural repairs have been made. Building Inspector Jack Morgan said that the deteriorated stairs have been removed from the back of the structure, repair work was done where a window had collapsed, some floor joists were replaced and the area underneath the carport was cleaned out. One of the Aldermen asked if the structure was now in a state where it could be rented. Mr. Morgan answered “no.”

Ms. Eleanor Coffey said that it was her intention to use the structure for storage of non combustible materials which were needed in her work such as two by four's.

Mr. Jack Smith, who lives across the street, said that he did not think that the structure had improved. Mr. Smith said that he has looked at this structure for twenty years and that during that time his mother passed away wishing that something could be done about this property. Mr. Smith said that Mr. Coffey cares nothing about Waynesville, Hazelwood or the people who live there. Mr. Smith said that this structure was a disgrace to Waynesville because it is in such a state of deterioration. Mr. Smith said that he has been retired for the past sixteen years and that during that time the only thing he has seen done was that some old hot water heaters, being stored on the property, were moved to Asheville.

Attorney Bonfoey advised the Board that they had three options: 1) Affirm the Order of the Building Inspector; 2) Revoke the order of the Building Inspector, or 3) Modify the Order of the Building Inspector.

Ms. Eleanor Coffey asked the Board to give her time to repair the building so that it would no longer be a fire hazard or an eyesore to the area. Ms. Coffey apologized to Mr. Smith for the building, which is located across from where he lives, adding that she would not let this happen again. Ms. Coffey said that she had experienced a lot of problems over the years with vandals causing damage to this structure. She added as an example that when windows were replaced they were broken by vandals, and that after a while she felt like “what the use?”

Alderman Wiggins said that he had driven by this property today and saw that the building did have some “casket grey” paint and unmatched boards, but that for the past twenty years there has been no effort made to keep this property up. Alderman Wiggins added that this property was in deplorable condition, along with other holdings in the Coffey family. Alderman Wiggins said that he would not only stand for tearing this structure down, but would see that others are torn down as well. Alderman Wiggins said that several houses were standing vacant in this community and that nothing has been done on them in years. Alderman Wiggins said that it is time for the Board of Aldermen to stand up and care about what this community looks like. Mayor Foy endorsed the comments made by Alderman Wiggins.

Alderman Wiggins moved, seconded by Alderman Caldwell, to affirm the Order of the Building

Inspector regarding the property located at 250 Westwood Circle owned by Ms. Eleanor Coffey. The motion carried unanimously.

Discussion continued regarding the structure at 250 Westwood Circle. Jack Morgan pointed out that the building had \$0 value according to the Haywood County Tax Records. Mr. Morgan said that his decision was made based upon finding that the structure was unsafe and constituted a fire and safety hazard and on the fact that nothing had been done to the structure at the time of his inspection. Mr. Morgan said that part of the structure was a dwelling and part had been used commercially at one time.

Mr. Lyle Coffey said that it was a “cheap built building” and that when he appealed the property valuation to the Board of Equalization and Review the value was decreased. Mr. Coffey said that it was appraised at \$17,000+.

Town Manager Galloway pointed out that this was a figure used in the 1988 revaluation, however, during the 1994 revaluation that figure was decreased to \$2,614 for the property and \$0 for the structure.

Alderman Wiggins read a portion of a letter from the Waynesville Police Department dated March 25, 1998, regarding the Coffey property at the corner of Georgia Avenue and Westwood Circle. Police officers spoke with Hazelwood’s two former Police Chiefs, J. Kenneth Moore and Tommy Sutton and determined the following: 1) it has been twenty years since anyone lived in or occupied the building, 2) that problems began shortly after the building was vacated, 3) officers received reports that vandals began breaking the windows out of the building, 4) that the area surrounding the building was overgrown with tall grass and weeds, 5) police received reports of children playing around and inside the building with evidence of drinking and teenage sexual activities and 6) officers on patrol observed rats, stray dogs, and other animals in and around the building.

Alderman Caldwell pointed out that a storage building, which was a fire hazard, should not be allowed in a residential neighborhood.

Ms. Coffey said that she has spoken to exterminators regarding the rats and that they informed her that the rats were coming from the neighbors’ houses where dogs were located and that the rats were searching for the dog food. Ms. Coffey added that the exterminators indicated to her that it would be pointless for her to attempt to control the rats because they would continue to come back as long as the dogs were nearby. Ms. Coffey said that she intended to get this structure back in condition to be used commercially.

Mr. Lyle Coffey said that this was not a residential area because Haywood Oil and Wellco were located nearby. Town Manager Galloway said that this area was zoned residential upon the merger of the Towns of Hazelwood and Waynesville.

Mr. Coffey said that out of the one hundred parcels owned by his family, only four (4) needed work and that the rest have passed HUD inspection.

Ms. Eleanor Coffey told the Board that they would probably hear from her attorney within the next two to three days. Ms. Coffey said that she had fought a case in Canton and won and that she did not feel that the Board has the right to have her destroy her property when she is making an effort to repair it.

Alderman Wiggins said that he was dedicated to the cause of cleaning up the Town of Waynesville. Alderman Caldwell added that property such as this devalues the property of others and that this same process will be used for a lot of other folks as well. Alderman Caldwell said that he promised in his campaign for Alderman that he would clean up the Town of Waynesville and he intends to do so.

Report of Town Clerk on Annexation Request - 1697 Crymes Cove Road - James and Esther Rosier

Town Clerk Phyllis McClure has investigated the sufficiency of a petition received on May 12, 1998, from James and Esther Rosier for annexation of property located at 1697 Crymes Cove Road, and found the petition to meet the requirements of state law concerning voluntary annexation.

Alderman Moore moved, seconded by Alderman Williamson, to set the date for the public hearing regarding annexation for June 9, 1998. The motion carried unanimously. (Res. No. 8-98)

Release of Bond - Smoky Mountain Retreat at Ridgewood Estates

Town Manager Galloway said that WNC Paving recently completed surfacing of streets in the subdivision at Ridgewood Estates for Carolina Log Homes, Inc. Manager Galloway said that there is a short list of items, such as filling in the dirt at the edge of pavement and spreading grass seed, which needs to be completed before the bond of \$39,000 can be returned.

Alderman Moore moved, seconded by Alderman Williamson, to authorize the return of the \$39,000 bond upon completion of the necessary items. The motion carried unanimously.

Discussion Regarding Bus Parked on Wall Street

Complaints have been received regarding a large bus which has been parked for several days, taking up four to five parking spaces, in the parking lot on Wall Street. It was the consensus of the Board to direct the Town Attorney to investigate the complaint and report to the Board on what is required to remove the bus from the parking lot.

Closed Session - Real Estate and Personnel Matters

Alderman Caldwell moved, seconded by Alderman Moore, to adjourn to closed session at 7:40 p.m. to discuss real estate and personnel matters.

Alderman Williamson moved, seconded by Alderman Caldwell, to return to regular session at 9:25 p.m. Both motions carried unanimously.

Adjournment

With no further business, Alderman Williamson moved, seconded by Alderman Caldwell, to adjourn the meeting at 9:26 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor