

SPECIAL MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
JANUARY 29, 2002
TUESDAY - 12:30 P.M.
TOWN HALL

The Board of Aldermen held a special meeting on Tuesday, January 29, 2002. Members present were Mayor Henry Foy, Aldermen Gavin Brown, Gary Caldwell, Libba Feichter and Kenneth Moore. Also present were Town Manager A. Lee Galloway, Town Clerk Phyllis McClure and Town Attorney Michael Bonfoey. Approximately thirty residents attended the meeting. Mayor Foy called the meeting to order at 12:30 p.m.

Discussion Regarding Interlocal Agreement Between the Town of Waynesville and Haywood County

Mayor Foy explained that today's special meeting is for the Board to discuss a proposed interlocal agreement between the Town of Waynesville and Haywood County and not a time for public comment because of the sensitivity of the meeting. When some members of the Town Board felt that the Commissioners might be open to negotiations toward returning to the Downtown site for the Justice Center, Mayor Foy approached County Manager Jack Horton to ask that the two managers meet to hammer out an agreement. The results of these meetings were conveyed in detail individually to each Board Member, who in turn agreed that a further conference involving the managers and selected representatives be set up to iron out details for an agreement. Today's meeting is for the endorsement of this agreement.

Town Attorney Bonfoey read the agreement. In the agreement, the County agrees to design and construct the courthouse adjacent to the historical Haywood County Courthouse on Main Street, with the height limited to three stories. The Town will actively support the efforts of the county in seeking any needed variances. The Town agrees to contribute two million, five hundred thousand dollars (\$2,500,000) toward the construction of the parking facilities. This could be either in a lump sum or by paying the periodic debt service sum on the principal of two million, five hundred thousand dollars over a twenty (20) year period. At the completion of the project, the County will transfer the title of the old pancake house restaurant property to the Town.

Town Manager Galloway said after the December 11, 2001 Board Meeting, the Board of Aldermen instructed him to work with the Haywood County Manager in discussing parking situations which would be mutually beneficial to both the Town and County. A proposal was made to the County that the Town would contribute \$2 million toward the cost of a parking deck on Branner Avenue. The County's response was they wanted \$3 million and the Town Board members felt that this was more than the Town could reasonably afford to contribute.

Throughout this process, the primary goal of the Town has been to keep the courthouse in the downtown area, which over the years has become one of the finest downtowns in the State of North Carolina. It is felt that the Town has a responsibility to provide parking spaces for those who wish to shop or conduct business in the downtown area, as well as new and expanded businesses in the Branner Avenue and Frog Level areas.

Another consideration was the economic impact the new courthouse would have upon the electrical system of the Town. Utility bills for this new facility are estimated to be in the range of \$10-\$12,000

per month, making the courthouse one of the largest utility customers in the Town.

The Town has spent a lot of time over the past 12 - 18 months in developing the Land Use Plan. This Plan, which incorporates Smart Growth principals, works to prevent sprawl which is felt could occur with the relocation of the courthouse to the Ratcliff Cove site.

Manager Galloway explained that Finance Director Eddie Caldwell and he have discussed the possibility of the Town contributing \$2 million over a twenty-year period and that this would have been approximately \$165,000 annually based upon a 5% interest rate and a 20-year loan. Since then, they have evaluated the Town's financial status and learned that the interest rate would likely be lower, perhaps around 4.67%. With the Town's strong financial position and the likely lower interest rate they believe the Town could raise the contribution to \$2.5 million which would increase the cost \$35,000 more annually over the next twenty years and the Town can afford to do that.

The County Manager has indicated that the County Commissioners would be willing to call a special meeting to discuss this proposal.

Alderman Brown brought up several issues in the agreement. He asked if the minimum size of the parking deck should be 365 spaces or smaller if the County decides to reduce the size of the Justice Center. Manager Galloway said in terms of long term planning, it is felt that this should be the minimum size. The parking deck is viewed as an "economic engine" which would benefit the Frog Level and Branner Avenue areas as they are developed. Parking for now and the future should be considered.

Alderman Brown was also concerned with Section Two which states that the Town will actively support the efforts of the county in seeking any variances which may be required, since variances are not easily obtained and are granted by the Town's Board of Adjustment rather than Board of Aldermen. Alderman Brown did not want to have an agreement which appeared to have "hidden agendas". Manager Galloway said the Town already has some changes in the Ordinance which might eliminate the need for a variance. The Board may still have some variance requests which are unforeseen at this time. The parking deck may need a variance regarding its height and an overlay district may still be needed. The Town and its staff intend to cooperate with the County.

Alderman Brown pointed out that the proposed interlocal agreement not only binds this Board but any future Boards. Alderman Brown said if both the County and the Town can approve this agreement, the lawsuit (which was filed by Alderman Brown individually and is not a part of this Board) will be dismissed.

Alderman Brown asked Manager Galloway if he felt comfortable telling people twenty years from now that the Town made a good investment by contributing two and one-half million dollars toward the parking deck. Manager Galloway said you have to have a vision, believe and dream. In 1985 if this investment had been made it may have seemed foolish. However, today Waynesville has one of the finest downtown areas, and parking has to be provided in order for the downtown area to expand and be successful.

Alderman Brown asked if this investment would require a tax increase for Waynesville. Manager Galloway said the Town can contribute the two and one-half million dollars toward this project without a tax increase unless there is a dramatic change in the Town's current financial situation.

Alderman Moore commended Town Manager Galloway and Town Attorney Bonfoey for doing a fine job in developing the agreement for proposal to Haywood County. When first on the Board,

Alderman Moore said there were problems in acquiring property in the watershed. However, with the work of Manager Galloway this has now been accomplished, along with a lot of other issues during the past 8 to 10 years. One of his concerns with the proposed relocation of the Courthouse to Ratcliff Cove Road was that the Town would lose one of its largest electric customers to another utility company. Alderman Moore said he felt that the Town was making the right decision by entering into this agreement with Haywood County and hopes the people in Waynesville are satisfied with it as well. The next thing he would like for the Town Board to accomplish is to improve industrial development in Waynesville since so many jobs have already been lost.

Mayor Foy said the Board of Aldermen is getting ready to have their annual retreat to make plans for the coming year. This Board has tried to be as progressive as possible and add to Waynesville as much as they can. It is not good to have the question of where the Courthouse will be located hanging in “limbo”. The best location would be downtown with a parking garage. There are several parcels of property in the Branner Avenue area which have been cut and scarred. This will be an opportunity to correct this and try to develop the Branner Avenue and Frog Level areas, creating a more attractive business district. A parking garage in this area will be beneficial to the entire area.

Alderman Caldwell said this will be an investment for Waynesville. More business will be added by keeping the Courthouse facilities in Waynesville with more people eating and shopping in Waynesville. The parking deck will be a great investment for Waynesville.

Alderman Feichter said if the Town and County both approve this agreement something very special will have happened. Both Boards were elected to be good stewards of the public’s money and do what they feel is best for the community. These two governmental agencies can sit down and settle situations, providing something positive for both Waynesville and Haywood County. Alderman Feichter said she was very proud of the Town’s Board and Town Staff and hopes the people of Haywood County and Waynesville will be proud of what is being accomplished today.

Alderman Brown asked Town Manager Galloway if the discussions with Haywood County officials involved the jail facilities. Manager Galloway said the County has indicated that they are still considering the Hazelwood site and the Board was receptive to rezoning this property for jail facilities if Haywood County chooses to use it for that purpose.

Alderman Brown moved, seconded by Alderman Moore, to authorize Mayor Foy to enter into the Interlocal Agreement between the Town of Waynesville and Haywood County as presented by Attorney Bonfoey. The motion carried unanimously. (Cont. No. 2-02)

Adjournment

With no further business, Aldermen Moore moved, seconded by Alderman Caldwell, to adjourn the meeting at 1:07 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor