

REGULAR MEETING  
BOARD OF ALDERMEN  
TOWN OF WAYNESVILLE  
APRIL 9, 2002  
TUESDAY - 7:00 P.M.  
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, April 9, 2002. Members present were Mayor Pro Tempore Libba Feichter, Aldermen Gavin Brown, Gary Caldwell and Kenneth Moore. Also present were Town Manager A. Lee Galloway, Town Clerk Phyllis McClure, Town Attorney Michael Bonfoey and Intern Josh Ray. Mayor Pro Tempore Libba Feichter called the meeting to order at 7:00 p.m.

Approval of Minutes of March 26, 2002

Alderman Brown moved, seconded by Alderman Caldwell, to approve the minutes of the March 26, 2002 meeting as presented. The motion carried unanimously.

Recommendation for Parking Restrictions on Epson Street

Town Manager Galloway presented a report and map from the Waynesville Police Department regarding a complaint about parking problems on Epson Street and Ninevah Road. This involves an area just east of South Main Street in West Waynesville, beside Beaver's Drive-in. It is recommended that "No Parking" signs be posted on Epson Street from where that street intersects with Ninevah Road and extending eastward for 53 feet on the north side and 193 feet on the south side. Police Chief Bill Hollingsed has discussed the need for parking restrictions with Mr. Beaver Medford, owner and operator of Beaver's Drive-in and Mr. Medford does not see a problem with the signs recommended by the Police Department.

Alderman Brown moved, seconded by Alderman Caldwell, to adopt an ordinance restricting parking on Epson Street as recommended. The motion carried unanimously. (Ord. 3-02)

Request by Downtown Waynesville Association for 2002 Street Closings

Each spring, the Downtown Waynesville Association submits a request that the Board authorize the closing of Main Street and other streets for various events, which are either sponsored or co-sponsored by the Association. One event is new this year, the First Annual Haywood County Cruise-In Parade planned for 4:00 p.m. on May 3. This parade is in connection with a car show which will be held on the track at the Waynesville Recreation Center. The closing requests are as follows:

- 1) First Annual Haywood County Cruise-In Parade - May 3, @ 4:00 p.m.
- 2) Friday Night Street Dances - July 5 & 19 and August 2 & 16.
- 3) Folkmoot Parade - July 19 @ 1:00 p.m.

- 4) International Festival Day - July 27.
- 5) Church Streets Art and Craft Show - October 12.
- 6) Haywood County Apple Harvest Festival - October 19.
- 7) Waynesville Christmas Parade - December 2.
- 8) "Night Before Christmas" - December 7 & 14.

Alderman Brown moved, seconded by Alderman Caldwell, to approve the street closing requests as submitted by the Downtown Waynesville Association. The motion carried unanimously.

#### T-21 Grant - Agreement With the N. C. Department of Transportation on the Greenway

The Town of Waynesville was awarded a grant of \$200,000 from the NC Department of Transportation to develop a Greenway between Lake Junaluska and Howell Mill Road and the Vance Street Park. This project was begun several years ago to make Waynesville a more walkable community. As a part of this project, a sidewalk will be extended along Howell Mill Road from the Greenway at Blue Ridge Paper to the Asheville Road. At that point it will tie into the sidewalk being constructed between the corporate limits and Industrial Park Drive as part of the Asheville Road project.

The Town's \$200,000 must be matched with a 20% contribution from the community. Of the \$50,000 local match required, the Town will contribute \$10,000. The Pigeon River Fund has awarded the Town \$30,000 to put toward the local share, and the Richland Creek Action Committee has pledged \$10,000.

The agreement requires a commitment from the Town to be responsible for the design and construction of the Greenway, and after it is constructed, the Town will assume maintenance and liability responsibilities on that section of the Greenway between Howell Mill Road at Blue Ridge Paper and Russ Avenue. Haywood County is being asked to assume maintenance and liability responsibility on that section of the trail between Howell Mill Road at Blue Ridge Paper and Lake Junaluska. The Haywood County Commissioners approved this agreement at their meeting on Monday, April 8, 2002.

Dave Dudek and Tim Plowman attended the meeting. They have been members of the Richland Creek Action Committee since it was created in 1991. Mr. Dudek gave some of the history of the Greenway project and expressed appreciation to the Board for their support during this time and for taking the lead in Haywood County regarding the Greenway project. Mr. Dudek said once this agreement is approved by the NCDOT, any needed easements will be pursued more aggressively. There is one parcel of property at the corner of the Industrial Park which still needs an easement, and with the grant monies it may be possible to purchase this property. Haywood Waterways is exploring the possibility of hiring a Greenway Coordinator for Haywood County.

Mr. Dudek said the replacement of the bridge over the mouth of Richland Creek may be a good opportunity for a coordinated effort between the Town and the NC Department of Transportation for improvements to the Greenway.

Alderman Brown moved, seconded by Alderman Moore, to approve the enhancement agreement (Project: #4589) with the NC Department of Transportation, Town of Waynesville and Haywood County and authorize the Mayor and Town Clerk to sign the agreement. The motion carried unanimously. (Cont. No. 4-02)

#### Appointment by Mayor Henry Foy to the Waynesville Housing Authority

Under new regulations which recently came into effect, the Board of a Housing Authority of any community must include an individual who is a resident of the public housing. The Mayor of a community is assigned the responsibility of appointing members to the Housing Authority of that community. Mayor Foy has consulted with the appropriate individuals and has appointed Ms. Evelyn Powell to the Waynesville Housing Authority for a 5-year term which will extend until October 31, 2006 (this would place the expiration date at the same time as the other members of the Housing Authority). No action was necessary.

#### Offer to Purchase Property on Little Cove Road

At the last meeting an offer of \$85,000 was submitted for the purchase of the 6.280 acres and house the Town owns at 50 Little Cove Road. At that time, the people making the offer had a condition that the property be approved for a new septic system. The Board suggested that the people have a soil evaluation performed by the Haywood County Health Department to resolve whether a new septic system would be permitted for the tract, and this has now been done. Carroll Mease, the realtor who is representing those making the offer, has now removed the condition about the septic system from the offer.

Alderman Brown moved, seconded by Alderman Caldwell, to accept the \$85,000 offer as presented for the 6.280 acres located at 50 Little Cove Road, conditioned upon the advertisement and upset bid process as required by NC General Statutes 160A-269. The motion carried unanimously.

#### Minor Subdivision - Maple Grove Methodist Church

Maple Grove Methodist Church is subdividing a 3.6 acre tract of land into a 2.225 acre lot and a 1.35 acre lot. The property meets or exceeds Town requirements and Town Staff recommends approval.

Alderman Moore moved, seconded by Alderman Caldwell, to approve the minor subdivision for Maple Grove Methodist Church as requested. The motion carried unanimously.

#### Authorization for Town Attorney to Commence Litigation Against Carl Duke

During November 2000 the Planning Department issued a certificate of Zoning Compliance to Carl Duke to open a used car lot on a piece of property at 9 Lea Plant Road. Mr. Duke then secured his business license to operate a used car business. During the summer of 2001, the Planning Staff began receiving complaints about the condition of the property and the fact that Mr. Duke was tending toward operating a sales lot of boats, used appliances and other assorted pieces of equipment.

In late summer, 2001, the Planning Staff made two contacts with Mr. Duke and advised him that his operation was in violation of his Certificate of Zoning Compliance and he needed to cease the sales of all the items which were not permitted by the Certificate. Although two contacts were made, Mr. Duke has not complied, and the Staff has consulted with the Town Attorney to seek help in resolving this matter. Town Attorney Bonfoey has suggested that the Board grant authorization to proceed with litigation against Mr. Duke in an attempt to bring the property into compliance with the Certificate of Zoning Compliance and with the site plan for the property.

Alderman Caldwell moved, seconded by Alderman Brown, to authorize Attorney Bonfoey to commence litigation against Carl Duke. The motion carried unanimously.

#### Debbie Moody - Comments Regarding Health Insurance for Employees' Spouses

Ms. Debbie Moody attended the meeting to express some concerns to the Board regarding recent changes in the Town's health insurance for employee's spouses. She felt that employees were not given proper notice about the changes and found out by reading the newspaper. She felt that changes to the insurance were not properly explored. Ms. Moody said employees were told that monetary reimbursements may be given to those spouses who are required to pay insurance premiums with their employer and she wanted to know if the reimbursements from the Town would increase if their costs increased. Ms. Moody felt that employees were given false information that the Town's insurance did not pay as secondary insurance when in fact it does. Ms. Moody said she received a letter that her insurance with the Town would be discontinued effective June 30 and she could not enroll with her employer until January, leaving her without insurance for several months. Alderman Brown advised Ms. Moody that she should speak with Margaret Langston, the Town's Human Resource Officer. She said that she had spoken with Ms. Langston but still had some questions. No action was taken.

#### Closed Session - Real Estate Acquisition/Industrial Development

Alderman Brown moved, seconded by Alderman Caldwell, to adjourn to closed session at 7:40 p.m. Alderman Brown moved, seconded by Alderman Moore, to return to regular session at 8:08 p.m. Both motions carried unanimously.

Alderman Brown moved, seconded by Alderman Moore, to adopt a resolution that if the bid to the bankruptcy court is successful, the Town of Waynesville will provide a grant in the amount of \$650,000 payable at closing to the Haywood Advancement Foundation, Inc., in support of the HAF's bid to purchase the old Dayco property for the purpose of attracting industry and creating jobs. The motion carried unanimously. (Res. No. 5-02)

#### Report by Town Manager Galloway Regarding Budget

Manager Galloway reported that he and Finance Director Eddie Caldwell have begun work on the Town's budget for Fiscal Year 2002-2003. Manager Galloway asked Board Members to plan on beginning their budget workshops during the first week in May.

Alderman Moore - Handicapped Cuts in the Sidewalk in Hazelwood Area

Alderman Moore asked when handicapped cuts in the sidewalks in the Hazelwood area, particularly along Hazelwood Avenue would begin.

Town Manager Galloway said there are several handicapped cuts along this area of sidewalk. However, there is one difficult area at the intersection of South Main Street and Hazelwood Avenue. No action was taken.

Adjournment

With no further business, Alderman Caldwell moved, seconded by Alderman Moore, to adjourn the meeting at 8:15 p.m. The motion carried unanimously.

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Phyllis R. McClure  
Town Clerk

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Henry B. Foy  
Mayor