

SPECIAL MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
JUNE 4, 2002
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a special meeting on Tuesday, June 4, 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. Mayor Henry Foy called the meeting to order at 7:00 p.m.

Approval of Minutes of May 9, 14 and 20, 2002

Alderman Brown moved, seconded by Alderman Moore, to approve the minutes of the May 9, 14 and 20 meetings as presented. The motion carried unanimously.

Donation of Benches in Memory of Former Alderman Doug Worsham

The First Baptist Church purchased a tract of property on the east side of South Main Street for the development of a parking lot. Town staff worked with Shawn Leatherwood, the architect who designed the parking lot for the church. Where the parking lot abuts Main Street, plans were made to allow for two spots where benches might be placed.

Members of the family of former Town Alderman Doug Worsham contacted Mayor Pro-tem Libba Feichter, regarding their desire to provide a memorial of some sort for Mr. Worsham. Since the parking lot was nearing completion it was suggested that one possibility might be that they provide the benches to be placed at the entrance to this parking lot. Alderman Worsham was a member of the First Baptist Church.

Ruth Worsham, Jean Howell and Johnny Howell attended the meeting. Johnny Howell spoke on behalf of the family. Mr. Howell said that former Town Alderman Doug Worsham was not only a husband, father and grandfather, he was a dedicated public servant with 32 years of service as an alderman. Mr. Howell presented the Board with a check for two park benches. He thanked the Board, and in particular Alderman Libba Feichter and Town Manager Galloway for allowing the family to remember Mr. Worsham in this way.

Mayor Foy said he had very tender memories of former Alderman Worsham. Mayor Foy served as alderman from 1975 until 1979 and Mr. Worsham had already served many years as alderman. Mayor Foy had known Alderman Worsham for many years when he was elected in 1975 as a rookie, and he quickly learned that Alderman Worsham was the one to stick with. Mayor Foy said it is doubtful that Waynesville has ever had a better Alderman. Alderman Worsham did not give any ground on something he believed in. Mayor Foy said it is very fitting that the benches in his memory

be located in front of the First Baptist Church Parking Lot, not only to remember Alderman Worsham as an Alderman but as a Baptist. On behalf of the Board, Mayor Foy thanked the family for their donation.

Report of Clerk Regarding Annexation Petitions Dellwood Road/Asheville Highway Areas

Over the past two years the Town has been collecting a group of annexation petitions for properties located in the Dellwood Road area and at the intersection of the Asheville Road and Howell Mill Road. The petitions have all been submitted due to the Town's ordinance which requires that any property owner who wishes to connect to the Town sewer system must first apply for annexation into the municipality.

One of the reasons for the delay in proceeding with consideration of these properties is related to the State laws regarding annexations which take property out of the tax district of a rural fire department. In this case, a number of the properties which have petitioned to be annexed are located within the Junaluska Fire District. There are very specific laws on how a municipality must handle such a situation, and there are requirements that the municipal government reimburse the rural fire department for the lost revenues. The amount which must be paid is determined by calculating the debt of the rural fire department and then finding the portion of the debt which the lost properties would pay to that department. If the properties equal 1% of all the property values of the entire district, then the municipality would have to pay the department 1% of the outstanding debt which existed at the time of the annexation petition. One method would be to make annual payments to the department for as long as the debt remained. The Town and Junaluska Fire District would need to come to an agreement on which method of payment will be used.

In the midst of dealing with this issue, the revaluation of property occurred. That information is now in hand and the Town can now proceed with the process on considering these properties for annexation.

The Town Board has already accepted these petitions and given the Town Clerk instructions to investigate the sufficiency of the petitions. These has now been done and it has been determined that they meet the requirements.

Alderman Brown moved, seconded by Alderman Moore, to proceed with the annexation process and set the public hearing date for Tuesday, June 18, 2002. The motion carried unanimously. (Res. No. 8-02)

Request for Three (3) Handicapped Parking Spaces on Church Street

A request was received from St. John the Evangelist Parish seeking the Board's approval for three handicapped parking spaces in front of the Catholic Church at 234 Church Street.

Dick and Sandy Michener, members of the Disability Committee for the Church attended the meeting. Mayor Foy said this property is located in the R-2 zoning district and it is recommended that portable signs be used rather than permanent signs. It was suggested that the Town purchase

these signs and sell them to the Church. The signs could be placed at the street and removed by members of the Church when needed.

Attorney Bonfoey suggested that Police Chief Hollingsed meet with representatives of the Church and determine which spaces would be the most appropriate.

Alderman Brown moved, seconded by Alderman Moore, to approve the placement and removal of portable signs by St. John the Evangelist Parish located on Church Street, subject to approval by the Police Chief. Town Attorney Bonfoey will draft an ordinance. The motion carried unanimously. (Ord. No. 6-02)

Resolution Identifying Area Under Consideration for Annexation

Each two years, the Town of Waynesville has adopted a resolution noting a specific area which is under consideration for annexation. For many years, the Town has simply included all the land in the Richland Creek valley, from the Eagle Nest Ridge to Waynesville Mountain and from the Balsam Gap to Lake Junaluska. Under State Law, when this resolution is in place, it speeds the process whenever a municipality wishes to annex an area.

In the midst of the Land Use Planning process, the readopting of a new resolution in January 2002 was overlooked. Because of this oversight, there will be some delays if the Town Board should choose to annex large portions of contiguous property by forced annexation. The failure to have the resolution in place will simply delay any annexation slightly, not prevent it.

Alderman Moore moved, seconded by Alderman Feichter, to adopt the resolution identifying the area under consideration for annexation. The motion carried unanimously. (Res. No. 9-02)

Turns at the Main Street/East Street Intersection

Several months ago, the Board discussed the problem with traffic backing up on Main Street when south bound vehicles are attempting to make left-hand turns onto East Street. During heavy traffic months, it is not at all unusual for traffic to back up beyond Miller Street. The possibility of a protected turn light for the intersection so that vehicles could turn left onto East Street while the traffic signal holds the north bound traffic on Main Street was discussed.

There were several discussions with the Traffic Engineering section of the Department of Transportation. In order to properly facilitate the request, it would be necessary to develop a suitable turn lane for south bound traffic on Main Street similar to what exists for the north bound traffic on the opposite side of the intersection. In order to accomplish this, it would mean the loss of approximately five parking spaces along the west side of North Main Street, between Home Tech and Massie Furniture.

Manager Galloway felt that the loss of five parking spaces on Main Street was not an option, so discussions with the Department of Transportation were continued to see if other alternatives were available.

One of the recommendations made by the DOT was to eliminate the left-hand turn entirely. The DOT suggested that since there did not seem to be a problem with traffic backing up except during the daytime, the Town could request that the turns be restricted during certain hours, perhaps between the hours of 9 a.m. and 6 p.m. Since Main Street is a state-maintained road, this would need to be submitted to the DOT for their approval.

Alderman Brown moved, seconded by Alderman Caldwell, to recommend to the NCDOT that the left turn from Main to East Street be prohibited from 9 am until 6 pm Monday through Saturday. The motion carried unanimously.

Resolution Regarding Financing of Courthouse by Haywood County

Several months ago, the Haywood County Board of Commissioners requested that the four municipal governments within the county adopt resolutions in support of the financing of the new courthouse facility. When the request was received, it was still unclear about the exact amount of money the County would be requesting and how much construction would actually take place.

Since that time, the County Commissioners have narrowed the scope of the project, and the amount of money which will be financed is more precise. The County will be seeking approval for financing a maximum of \$22,000,000 and that amount will be used to pay the cost of the Justice Center, the Parking Deck, and property acquisition for the courthouse and the jail (next to the existing jail).

Within the next few months, the County will have to appear before the Local Government Commission to seek their approval of the financing of the \$22 million. The County would like to have a resolution from each town in the county in support of this need and the effort.

Alderman Brown felt that the Town should not be involved in the type of financing Haywood County will use for the new Justice Facility, since this could later result in a tax increase for the County. Manager Galloway said General Obligation Bonds would be less expensive. However if this issue is put to a vote it may not be approved. If it is not approved a Judge could then order that a new Justice Center be built and the County may then need to finance the project with Certificates of Participation as it states in the proposed resolution.

It was the consensus of the Board to delete the paragraph which states that the County of Haywood intends to finance the entire justice center project through the use of Certificates of Participation since they did not feel that the Town should be involved in how this project is financed by the County. It was also decided that in three sections “at the historic Haywood County Courthouse site” should be added and in the last paragraph “not to exceed 22 million dollars” should be added.

Alderman Brown moved, seconded by Alderman Feichter, to adopt a resolution regarding the financing of the courthouse by Haywood County as amended by the Board. The motion carried unanimously. (Res. No. 10-02)

Mib Medford - Signs on Utility Poles

Mib Medford attended the meeting to discuss the ongoing problem of signs being placed on utility poles for yard sales and various other advertisements. Ms. Medford suggested that the Town invest in small metal signs similar to those used by NC DOT to be placed on utility poles where traffic lights are located since these seem to be the areas most often used for the placement of these signs. Ms. Medford felt that the public does not know that this activity is prohibited and this issue was discussed at the last Community Appearance Commission Meeting. Town Manager Galloway said the Town has considered this before. However, putting signs up to keep other signs down did not seem like the best solution. Manager Galloway will pursue placing these signs at some of the intersections in Waynesville.

Adjournment

With no further business, Alderman Brown moved, seconded by Alderman Moore, to adjourn the meeting at 7:51 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor