

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
JUNE 13, 2006
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, June 13, 2006. Members present were Mayor Henry Foy, Aldermen Gavin Brown, Gary Caldwell and Libba Feichter. Also present were Town Manager A. Lee Galloway, Town Clerk Phyllis McClure, Finance Officer Eddie Caldwell, Administrative Intern Alison Melnikova and Town Attorney Woodrow Griffin. Mayor Foy called the meeting to order at 7:00 p.m.

Approval of Minutes of May 15 and May 23, 2006

Alderman Brown moved, seconded by Alderman Caldwell, to approve the minutes of the May 15 and May 23, 2006 meetings as presented. The motion carried unanimously.

Public Hearing Fiscal Year 2006-2007 Budget

The proposed town budget for 2006-2007 was presented to the Town Board on Monday, May 15. At that time, a notice was placed in The Mountaineer advising the public that the proposed budget had been presented to the Board and that a copy of the document was available at Town Hall for public inspection. Notice was also given that a public hearing on the document would be held on Tuesday, June 13, at which time any citizen could offer comment on the proposal.

During 2005, Haywood County conducted the required revaluation of real estate in the county including that within the corporate limits of Waynesville. As a result, real estate values in Waynesville grew by approximately 21%, and based upon calculations, a revenue neutral property tax rate would be 36 cents per \$100 of valuation. Town Staff had recommended a tax rate of 41 cents per \$100 for the 2006-2007 fiscal year, an increase of 5 cents. During budget work sessions, the Town Board instructed the Manager and Finance Director to reduce this to a 4 cent increase, the amount required to fund construction of a new fire station and the renovations to the existing public safety building. This change required a reduction in the general fund budget expenditures of approximately \$88,000, and that has now been done. So the proposed property tax rate for 2006-2007 is recommended at 40 cents per \$100.

The budget also proposes an increase in both the residential and commercial garbage collection charges to assist with meeting the higher cost of fuel and tires for the equipment used in providing this service. The only other change in charges in the General Fund are in the Planning and Zoning Fees where increases are proposed to assist in recouping the cost involved in plan review or for the review of proposed subdivisions or zoning requests. There are also charges proposed for items which must go before the Historic Preservation Commission or the Appearance Commission.

In the Enterprise Funds, a 10% increase is proposed in both water and sewer rates as the Town continues to correct problems with aging and deteriorating lines in both systems. In the Electric Fund, it was felt that progress had been made in adjusting rates on a quarterly basis that allowed the Town to keep pace with the fuel charges being passed along by Progress Energy. For the 2005-2006 fiscal year, the Town's charges have allowed them to come close to maintaining the same fund balance without it dropping over \$500,000 as happened in the prior fiscal year.

Attorney Griffin opened the public hearing. No one spoke; Attorney Griffin closed the public hearing.

Alderman Caldwell said the Recreation Department requested a new truck in the 2006-2007 fiscal year budget, but the truck had been removed. Alderman Caldwell asked if the truck could be returned in the budget for the upcoming fiscal year, adding that the truck they have now needs to be replaced. Manager Galloway said three trucks were scheduled to be included in a bid package for the Street Department and it would be possible to add a fourth truck for the Recreation Department. It was the consensus of the Board that this truck be returned in the budget.

No action was taken. This item will be placed on the agenda of the June 27 meeting.

Public Hearing Amendments to Section 154.031 and 154.233 Inns

At the Board meeting of May 9, a public hearing was held on proposed changes to the section of the Land Development Standards dealing with Inns. It became obvious at that hearing that there were still some unresolved issues and that further review and discussion of the matter was in order. At the Board meeting of May 23, a revised proposal was presented to the Board, and it seemed to have incorporated the changes that were recommended on May 9. The amendments are as follows:

Proposed LDS amendment of "Inns" definition and supplemental use regulations for "Inns"

Delete text shown with strikethrough and add text in red.

Section 154.031 Definitions

Inn. Any building or group of buildings in which there are ~~twenty (20)~~ thirty (30) or fewer guest rooms, used for the purposes of offering public lodging on a day-to-day basis. ~~Breakfast is the only meal served only to overnight guests.~~

Section 154.233 Inns. (supplemental use regulations for specified neighborhood and rural districts)

(C) Parcel Size.

Each Inn constructed in a residential district shall be on a lot which is no less than five (5) acres in size. The size limit is waived if the ~~building/buildings~~ principal building ~~are~~ is on the National Register of Historic ~~Buildings~~ Places either individually or as a contributing building within a

district; ~~or, on the Local Landmark Listing of Historic Properties~~, is designated as a Local Historic Landmark by the Board of Aldermen, ~~or the building is at least 60 years of age or older~~ is on the inventory of historic properties maintained by the Historic Preservation Commission.

(D) Number of Rooms.

Inns ~~on residential lots~~ shall provide no more than thirty (30) rooms for lodging; however, six (6) additional rooms may be added for every acre over five (5) acres in size inns on properties of less than five (5) acres shall provide no more than twenty (20) rooms for lodging.

(G) Activities.

I. Special Events. Inns may have parties, receptions, or other similar contracted activity provided that these take place on no more than twelve (12) days within a one (1) year period; and that such events take place on no more than three (3) consecutive days. A temporary use permit (see Section 154.090) must be obtained for each such event.

ii. Meals Open to Non-Overnight Guests. In addition to the special events above, the inn may also have up to 1 meal per month open to non-overnight guests. iii. Personal, non-commercial use of the inn by the resident owner or manager is not subject to the limitations of this section.

Attorney Griffin opened the public hearing. Ken Mounds, 142 Country Club Drive, asked for clarification regarding the twelve events allowed per year. It was explained that up to twelve special events would be allowed per year, and that each event could last no more than three consecutive days, for a total of twelve days per year.

Alderman Brown moved, seconded by Alderman Feichter, to adopt an ordinance incorporating the changes as recommended. The motion carried unanimously. (Ord. No. 17-06)

Mr. Bill Skelton, County Extension Agent - Grant Applications

- 1) Fire Station Storm Water Management
- 2) Recreation Center Stream Restoration

A few months ago, County Extension Agent Bill Skelton contacted Manager Galloway to mention the availability of grant funds to assist with storm water projects. The proposed fire station site and the need for some type of storm water control feature on that site were discussed. Mr. Skelton took a look at the site along with the North Carolina State representative, Jon Calabria, and they felt that a good rain garden project could be developed at this site and used as a model for developers who must put in similar storm water control features.

Having some additional money, Mr. Calabria and Mr. Skelton looked at some other areas of Waynesville that might be eligible for grant funding. They found that the stream banks of Richland Creek as it passes through the Town Park were in need of attention. There was damage to the creek banks during the heavy rains following the hurricanes of 2004, and the repairs made at that time were quite limited. They felt that additional repairs should be made to this area of the creek.

Two proposals which have been developed by Mr. Skelton and Mr. Calabria were presented. The first proposal is for the fire station site, with an estimated project cost of \$48,000; however, the grant would cover 50% of this expense. This is a particularly good deal for the Town since this project is needed to meet the storm water requirements.

The second proposal is for the stream bank restoration. The cost of this project is estimated at approximately \$144,000, with the local share being \$36,000; however, some of the local share may be “in-kind” based upon the work of Town personnel and the use of Town equipment.

Mr. Skelton attended the meeting to discuss the applications and answer questions.

Water Resources Grant Application - Waynesville Fire Station Site

Alderman Brown moved, seconded by Alderman Caldwell, to adopt a resolution to support a project to ameliorate stormwater runoff at the Waynesville Fire Station location, with a matching contribution of the Town up to \$24,000. The motion carried unanimously. (Res. No. 19-06)

Water Resources Grant Application - Waynesville Recreation Center

Mr. Skelton said the second project is for stream bank restoration along the area of the Waynesville Recreation Center, and includes a \$36,000 match from the Town.

Alderman Caldwell moved, seconded by Alderman Feichter, to adopt a resolution to support a project for stream bank restoration along the area of the Waynesville Recreation Center, with a matching contribution of up to \$36,000. The motion carried unanimously. (Res. No. 20-06)

Alderman Feichter said both of these projects are exciting. Alderman Brown expressed appreciation for the efforts of Mr. Skelton and thanked him for coming to the meeting.

Preliminary Plans for Fire Station ADW Architects Jim Powell and Keith Carlyon

During the past few months, a good deal of time has been spent by ADW Architects in developing a layout for the new fire station on North Main Street. Sketch plans have been done and redone to meet the needs of the fire department, and Mr. Carlyon has been extremely patient in receiving comments from Town staff and in making necessary revisions to the plans.

Mr. Powell and Mr. Carlyon attended the meeting to present some renditions of the proposed station and the interior design. There had been some discussion by the Board on whether to use brick or concrete board on the exterior of the building. The architects and fire personnel prefer the brick, feeling that it will make the building stronger and protect the walls better for the long term by providing better insulation. They also note that the money that is saved with the concrete board would be offset by having to repaint the concrete board every six years or so.

Mr. Carlyon said the fire station is located slightly above North Main Street so the fire trucks can easily roll out to the street. The site includes a handicapped accessible ramp, flagpole area in the middle, residential bedroom type wing, patio area, rain garden (bio retention area) which

includes space for a future firefighter's memorial. There was some discussion regarding the possibility that North Main Street could be widened in the future and the building may need to be moved back a little further from the street. The floor plan includes the location of a fire pole from the present fire department building, a service window, meeting and training room, storage spaces, laundry room, de-contamination room, living type spaces with showers and two bedrooms, day room, dining room, l-shaped kitchen, apparatus room, and easy access from all areas of the building when fire calls are received. The outside of the structure includes red brick, green metal roof, aluminum/glass doors and spot lights for the flag pole area. There was discussion regarding the stone and it was requested that alternate bids for native stone also be considered. The building was estimated to cost \$210 per square foot. Early site work could begin in early Fall with bids in the Winter.

Alderman Brown moved, seconded by Alderman Caldwell, to give the architects notice to proceed with the drawings. The motion carried unanimously.

Mr. Powell and Mr. Carlyon thanked the Board and the Fire Department for their input. The Board thanked Mr. Powell and Mr. Carlyon for all their work and for presenting the plans to the Board.

The architects have developed a preliminary schedule of the construction of the new fire station, giving a likely ribbon cutting date in January, 2008.

Budget Ordinance Amendments Amendment No. 3

As usual, at the end of the fiscal year, Finance Director Eddie Caldwell conducts a careful review of the various Town funds to identify those accounts which will likely have actual expenditures exceeding the expenditures which were proposed in the original budget. To meet the requirements of the Local Government Commission, Mr. Caldwell must come before the Town Board asking that additional funds be allocated to the departments which will be overspent.

Amendment Number 3 to the 2005-2006 Budget Ordinance includes some higher revenues anticipated in the Interest Income, from Water Charges, Sewer Charges and Impact Fees and in the Charges for Electric Service and Sales Tax on Electric Rates. In the case of the Electric Fund, there is a higher appropriation from Fund Balance.

There are higher expenditures in a few departments, specifically in the Streets and Sanitation, Planning and Zoning and in Special Appropriations for the contribution toward the new restrooms in the downtown.

In the Enterprise Funds, there are higher expenses for the design work on the lab expansion at the water plant and for the Shelton Branch sewer line replacement. In the Electric Fund, the higher fuel charges were passed along to the Town by Progress Energy, and the town had to pass those charges on to our own customers.

Mr. Caldwell attended the meeting Tuesday evening to explain these matters and to answer any questions.

Alderman Brown moved, seconded by Alderman Feichter, to adopt an ordinance to amend the Fiscal Year 2005-2006 budget as recommended. The motion carried unanimously. (Ord. No. 20-06)

Award of Paving Bids

Bids on paving and resurfacing town streets were opened on May 25, 2006. Bids were received as follows:

Vendor Asphalt Concrete Asphalt Surface
Surface Course Type Treatment
S9.5A 2,500 Ton Split Seal 3,000 sq. yd.

WNC Paving, Inc. \$160,350.00 \$6,600.00
64.14/ton \$2.20/sq. yd.

Apac Atlantic, Inc. \$221,500.00 \$11,250.00
Asheville Division 88.60/ton \$3.75/sq. yd.

Wolfpen Associates, Inc. \$226,950.00 \$12,060.00
90.78/ton \$4.02/sq. yd.

Manager Galloway said the low bidder was WNC Paving, Inc., of Waynesville, with the asphalt going at \$64.14 per ton installed. This is a considerable increase over the \$52.49 the Town was paying during 2005-2006, mainly due to higher petroleum costs. Manager Galloway added that Powell Bill money has not increased since Waynesville is not included in a high growth area. With a total bid of \$166,950, it was recommended that the Town Board award the work to WNC Paving.

Alderman Caldwell moved, seconded by Alderman Feichter, to award the bid for paving to WNC Paving with a total bid in the amount of \$166,950. The motion carried unanimously.

Charles Miller - 727 Allens Creek Road - Jake Brakes

Charles Miller, 727 Allens Creek Road, said he came before the Board last year about the use jake brakes by large trucks on Allens Creek. Mr. Miller said he has spoken with the Police Chief and Lieutenant Brian Beck and understands that a proposal was presented to the Town Attorney. Mr. Miller said there are trucks coming in from everywhere. This past Saturday night, asphalt was hauled all night and neighbors did not even know they were there because the drivers did not use the jake brakes. The local drivers are not usually the ones causing the problem, it is usually drivers from other places. There are a lot of elderly residents, sick people and people who work nights living in this area, and it disturbs them to hear the jake brakes. Mr. Miller said he has tried to call Mike Davis with Harrison Construction. He asked for help from the Town with this situation. He said he spoke with two drivers that work with local driver Johnny White and they tell him that jake brakes are useless in the Allens Creek area and it is ridiculous for drivers to use them in flat areas.

Mayor Foy suggested that a letter be sent to the contractors informing them that the Board is considering an ordinance regarding the use of jake brakes. Alderman Feichter said she would like to commend the local drivers for being considerate of the neighbors in the Allens Creek area.

Alderman Feichter - Thank You to Employees

Alderman Feichter said she would like to thank Town Manager Lee Galloway, Public Works Director Fred Baker and Assistant Public Works Director Robert Hyatt for their help in getting the storm drain project finished at the HART Theater.

Alderman Caldwell - Request for Temporary Banners

Alderman Caldwell said he was approached by a representative of Hometruster Bank who said he had been “getting hassled” about a banner on the porch area of the bank. Alderman Caldwell suggested that the Town consider allowing temporary banners and charging a fee for these banners, maybe \$50. He added that he did not want to hurt businesses and would like to find a way to work with them to advertise their business. Alderman Brown expressed concern that this could allow a plethora of banners going up all over the place. Alderman Feichter added that sign restrictions would apply to everyone. Alderman Caldwell said he would like for the Planning Board to consider allowing temporary banners, attaching a time limit and size restrictions. No action was taken.

Budget Workshop

It was the consensus of the Board to schedule another budget workshop for Monday, June 19, 2006 at 4:00 p.m. at Town Hall.

Adjournment

With no further business, Alderman Brown moved, seconded by Alderman Caldwell, to adjourn the meeting at 8:26 p.m. The motion carried unanimously.

Phyllis R. McClure, Town Clerk
Henry B. Foy, Mayor