

AGENDA
SPECIAL MEETING
TOWN OF WAYNESVILLE
TOWN HALL
APRIL 1, 2008
TUESDAY - 5:15 P.M.

The Board of Aldermen held a special meeting on Tuesday, April 1, 2008. Members present were Mayor Gavin Brown, Aldermen Gary Caldwell, Libba Feichter and LeRoy Roberson. Also present were Town Manager A. Lee Galloway, Town Clerk Phyllis McClure, Assistant to the Town Manager Alison Melnikova, Finance Director Eddie Caldwell and Town Attorney Woodrow Griffin. Mayor Brown called the meeting to order at 5:15 p.m.

Approval of Minutes of March 11, 2008

Alderman Caldwell moved, seconded by Alderman Feichter, to approve the minutes of the March 11, 2008 meeting as presented. The motion carried unanimously.

Request of Frog Level Merchants' Association Street Closings for May 10, 2008

A letter was received from the Historic Frog Level Merchants' Association regarding the "Whole Bloomin' Thing Festival" scheduled for Saturday, May 10. This is the 6th year of the event and it has continued to grow each year.

For 2008, the Association is asking for the same street closings as were allowed in 2007. They have asked that Commerce Street be closed between Panacea Coffee House and Depot Street from 5:30 a.m. until 5:30 p.m. on Saturday, May 10. In addition, they are requesting that Depot Street be closed from the railroad tracks at Boundary Street to Water Street. The Association asks that traffic be rerouted and detoured through Water and Charles Streets or Boundary Streets so that Depot Street may be closed.

During the first few years of this Festival, the Town resisted requests to close Depot Street to vehicular traffic. The Merchants' Association is correct in noting that the event has grown, and in 2004 and 2005, many more pedestrians were crossing Depot Street to access the Festival. This was creating an unsafe situation.

In 2007, the Board approved the request for closing Depot Street, indicating that the Town would try the closing to see how it worked. The Public Works Department made arrangements with the DOT to have the large portable signs placed on Russ Avenue advising motorists that the road through Frog Level was closed. Signs were also placed at the intersection of Branner and Haywood Streets with Depot Street warning that streets were closed ahead. The Town tried to make sure that motorists were warned so they would not be inconvenienced.

A few complaints were received from business owners in 2007 that had not been advised that Depot Street was to be closed. Other than notifying business owners in the Frog Level area, town staff had no objection to the requested closings.

Request to Close Main Street for Veterans Parade - Memorial Day, Monday, May 26, 2008

The Bicentennial Committee for Haywood County has proposed that a parade be held on Memorial Day which is Monday, May 26. This parade is designated to honor the veterans in the county in conjunction with the Bicentennial Celebration.

The Committee has asked that Main Street Waynesville be closed for the parade on the morning of May 26. The parade is scheduled to start at 11:00 a.m., with Main Street to be closed as the parade proceeds north on Main from Academy Street to Carolyn's Point at the foot of Wall Street. The Parade will be organized in the parking lot and on the streets around the First United Methodist Church, with the participants proceeding eastward on Academy Street to Main Street and then northward on Main through the downtown area until it disbands at Carolyn's Point at the foot of Wall Street.

The Waynesville Branch of the Bicentennial Committee is still working through the details of the parade, but they would ask that the Town Board approve the closing of Main Street from 11:00 a.m. until Noon on Monday, May 26, 2008.

Alderman Feichter moved, seconded by Alderman Caldwell, to approve both the street closings as requested and that the Frog Level Merchants' Association notify each business owner in the Frog Level area of the street closings on Saturday, May 10, 2008. The motion carried unanimously.

Designation of "Buy Local Week" May 10 - 17, 2008

In addition to a request that the Town Board close streets within the Frog Level area for the Whole Bloomin' Thing Festival, the Historic Frog Level Merchants' Association requested that the Town Board designate the week of May 10 – 17 as "Buy Local Week".

A letter was received from the Merchants' Association explaining the request and asking for the Board's support in making this designation. This is done not only in conjunction with the festival in Frog Level, but because the Waynesville Tailgate Market will be opening in mid-May and the designation will bring attention to that event.

Alderman Caldwell moved, seconded by Alderman Roberson, to adopt the resolution designating May 10 - 17, 2008 as "Buy Local Week". The motion carried unanimously. (Res. No. 5-08)

Consideration and Award of Bids on Renovation and Expansion of Police/Development Office at 9 South Main Street

On Wednesday, March 26, bids were received on the renovation and expansion of the Police/Development Office project located at 9 South Main Street. Prior to the bidding, there were nine general contractors who had secured sets of plans to review and consider prior to the bidding. At the actual bid opening, seven contractors submitted proposals, giving excellent response and competitive pricing. Bids were received as follows:

	<u>Base Bid</u>	<u>Alt 1</u>	<u>Alt 2</u>	<u>Alt 3</u>	<u>Alt 4</u>	<u>Alt 5</u>	<u>Alt 6</u>	<u>Total Bid</u>
Blue Ridge Enterprises, Inc.	\$3,489,000	\$252,000	\$108,000	\$22,000	\$36,000	\$ 5,000	\$108,000	\$4,029,000
Brantley Construction Co.	\$3,883,221	\$308,967	\$129,548	\$17,668	\$25,314	\$ 4,901	\$ 69,068	\$3,938,687
Construction Logic, Inc.	\$3,057,000	\$268,845	\$132,152	\$10,228	\$35,974	\$12,668	\$ 69,606	\$3,576,473
G.E.M. Constructors, Inc.	\$3,300,000	\$254,000	\$161,000	\$27,000	\$36,000	\$ 5,200	\$ 56,500	\$3,839,700
H & M Constructors	\$3,712,000	\$297,000	\$153,000	\$17,200	\$52,000	\$ 3,300	\$ 54,000	\$4,288,500
Hickory Construction Co.	\$3,090,000	\$324,600	\$125,700	\$18,500	\$31,000	\$65,000	\$ 62,000	\$3,658,300
Perry Bartsch Jr. Const. Co	\$2,984,000	\$285,000	\$550,000	\$22,000	\$11,000	\$ 4,700	\$ 99,000	\$3,960,700

Town Manager Galloway said after the bids were opened, one of the contractors called to say that he had made a mistake by putting an incorrect number in one of the alternates. After going through notes on public law it was determined that it would not be proper procedure to change this number and it should be left as it is. The bid proposals have been reviewed and evaluated by ADW Architects for the amount that has been bid as well as the qualifications of the contractors. It was recommended by ADW Architects that the bid be awarded to the low bidder, Construction Logic, Inc., and that it should include all six alternates for a total bid of \$3,576,473. This is the same firm constructing the new Fire Station on North Main Street.

Jim Powell and Keith Carlyon with ADW Architects attended the meeting. Mr. Powell said Construction Logic has done a fine job on the Fire Station project. Mr. Carlyon pointed out that the contractor has experienced challenging soil conditions on this site and recently there have been problems because of the spring rain cycle.

Alderman Feichter said she realizes each time she drives by the new Fire Station what a perfect site this is. Alderman Caldwell said he likes the way Broadview Road was realigned with North Main Street, adding that the realignment makes the intersection much safer. Alderman Feichter said there also needs to be a realignment of Legion Drive to make it safer.

Jim Powell said overall this is a great project. Some tough decisions have been made along the way, but everything inside the new Police Station/Development Office is critical space. The materials help the building happen. Mayor Brown said it seems reasonable to go ahead and “bite the bullet” now. Alderman Roberson said it is better to include the alternates and complete the building now, it would be difficult to go back and try to add the alternates at a later time.

Jim Powell said he appreciated the opportunity to work with the Board. Alderman Feichter said on behalf of the Board they appreciated the professional way ADW Architects has handled this project and they have always felt comfortable with their recommendations.

Alderman Roberson moved, seconded by Alderman Caldwell, to accept the recommended bid of Construction Logic, including all six alternates for a total bid of \$3,576,473. The motion carried unanimously. (Cont. No. 8-08)

Resolution Authorizing Filing of Application to the Local Government Commission Regarding Renovation and Expansion of Police/Development Office at 9 South Main Street

Under North Carolina law, when a local entity wishes to enter financing agreements to pay for structures and equipment which exceed certain values, the Local Government Commission must review the proposal and grant approval.

The Town is presently involved in planning a project to renovate and expand the police department and to construct a new development office and meeting room at the corner of South Main Street and East Street across from the existing Municipal Building. The financing plan includes seeking a loan of \$3,000,000 with the Town supplying the balance of the funds to pay for the entire project, estimated at \$4,642,520.

In order to present an application to the Local Government Commission, the Town Board must first adopt a Resolution authorizing the Town to file the application. The Resolution discusses the need for the project and the manner in which the payment of the debts will be provided. In the

2006-2007 budget, the Town Board approved a tax rate increase of four cents per \$100, with two cents designated to pay the debt service on the new fire station and two cents designated to pay the debt service on the police/development office construction.

Finance Director Eddie Caldwell attended to present the resolution and answer questions of the Board.

Alderman Feichter moved, seconded by Alderman Caldwell, to adopt the resolution authorizing the filing of an application to the Local Government Commission regarding the renovation and expansion of the Police/Development Office at 9 South Main Street. The motion carried unanimously. (Res. No. 6-08)

Approval of Loan Regarding Renovation and Expansion of Police/Development Office Located at 9 South Main Street

Manager Galloway said when the Town was planning this project, the original thinking was that the Town would seek a 40-year loan of \$2,000,000 from the Rural Development Agency of the U. S. Department of Agriculture, a 20-year loan of \$1,000,000 from a financial institution and the Town would supply the balance of the cost. When bids for financing were solicited, the interest rate for borrowing funds had dropped to the point that there was a possibility that the Town might be able to pay for the entire project over a 20-year period rather than have to extend the pay back time to 40 years with Rural Development. The quotations were favorable.

When the Board approved a tax increase of four cents in the 2006-2007 budget, the plan was that two cents would pay for the debt on the fire station and two cents would pay for the debt on the police/development office. At that time, two cents on the tax rate provided approximately \$177,000. Since that time, the Town's tax base has grown substantially and today, two cents on the tax rate provides approximately \$198,000.

At a recent meeting, Finance Director Eddie Caldwell advised that in order to pay for the police/development office over a 20-year period, the annual debt payment would be around \$211,000. So for an additional \$13,000 annually, the Town could pay off this debt over a 20-year period. Otherwise, the Town could opt for a 20-year loan with a financial institution and a 40-year loan from Rural Development; however, the longer period of time would mean that the Town would have to pay an extra \$1,500,000 to extend the loan for the additional 20 years.

Finance Director Eddie Caldwell said the loan is at a 3.68% interest rate, but Wachovia has agreed to make the Town "whole" by allowing a credit of \$37,768.80 which would be the same as the 3.58% interest rate. Director Eddie Caldwell and Manager Galloway recommended that the Town Board select the loan repayment over a 20-year period rather than the 40-year period, with the loan going to Wachovia Bank with a maximum estimated payout of \$4,264,534.40, less \$37,768.80 credit for a total of \$4,226,747.60.

Alderman Roberson moved, seconded by Alderman Feichter, to enter into an agreement with Wachovia Bank subject to approval by the Local Government Commission. The motion carried unanimously. (Cont. No. 9-08)

Resolution North Carolina Governor's Highway Safety Program

Police Lieutenant Brian Beck has been working with the North Carolina Governor's Highway Safety Program to secure grant funds to assist with the purchase of much needed equipment for the Police Department.

A resolution was presented in which the Town is applying for a grant of \$7,200 and pledges to provide local funds of \$1,800 to create a project budget of \$9,000. The project in this case involves the purchase of six, Golden Eagle Radar Units to replace and upgrade radar units which are presently installed in our police vehicles. The Golden Eagle Radar Units are "double antenna" units, meaning that they will record the speeds of vehicles whether they are approaching from the front or the rear of the police cruiser. The Police Department has funds available in its "Materials and Supplies" budget to cover the local share of \$1,800.

Alderman Feichter moved, seconded by Alderman Caldwell, to approve the Resolution authorizing the application for the grant funds totaling \$7,800. The motion carried unanimously. (Res. No. 7-08)

Annexation Petition 2.77 Acre Tract off East Street Near Medford Avenue Clyde Kingdom Hall

A petition for annexation has been received from the Clyde Kingdom Hall for a 2.77 acre tract of land upon which a new church is to be constructed. This tract of land is located near the intersection of Medford Avenue and East Street and lies east of East Street. The petition is filed because the church needs to have water and sewer service. According to the Town's Sewer Use Ordinance, whenever a property owner located outside of the corporate limits applies for sewer service, that owner must also apply for annexation of the property into the Town of Waynesville. The 2.77 acre tract in question does not presently touch the corporate limit boundaries of the Town; consequently, this is a satellite annexation rather than the annexation of a contiguous piece of property.

Alderman Feichter moved, seconded by Alderman Roberson, to direct Town Clerk Phyllis McClure to investigate the sufficiency of the petition. The motion carried unanimously. (Res. No. 9-08)

Retreat

Manager Galloway said the Board's second retreat is scheduled for Friday, April 11 at the Lake Logan Episcopal Center.

Adjournment

With no further business, Alderman Caldwell moved, seconded by Alderman Feichter, to adjourn the meeting at 6:00 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Gavin A. Brown
Mayor