

AGENDA
REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
TOWN HALL
JULY 22, 2008
TUESDAY – 7:00 P.M.

The Board of Aldermen held a regular meeting on Tuesday, July 22, 2008. Members present were Mayor Gavin Brown, Aldermen Gary Caldwell, Libba Feichter, Kenneth Moore and LeRoy Roberson. Also present were Town Manager A. Lee Galloway, Town Clerk Phyllis McClure, Town Attorney Woodrow Griffin and Assistant Town Manager Alison Melnikova. Mayor Brown called the meeting to order at 7:00 p.m.

Approval of Minutes of May 20, May 21, June 24 and July 8, 2008

Alderman Caldwell moved, seconded by Alderman Moore, to approve the minutes of the May 20, May 21, June 24 and July 8, 2008 minutes as presented. The motion carried unanimously.

Alcoholic Beverage Control Board Request to Increase Capital Fund Amount

Members of the Alcoholic Beverage Control Board asked for time on the Town Board's agenda to discuss the amount of funds the ABC Board is allowed to retain in a capital fund amount. Prior to the recent referendum on Liquor by the Drink, the ABC Board already felt that the size of the store they occupy on Walnut Street was too small and prevented them from carrying the inventory that customers wished them to carry. With the passage of the referendum, the ABC Board feels that there is a definite need to consider a larger facility. This will necessitate some additional funds, and they wish to discuss the current limits on the amount that may be retained in their Capital Funds. Included with your agenda packets, you will find sections of the State Law which set limits on the amount of money which may be retained for capital needs and the section which grants authority to the local governing board to allow that amount to be exceeded.

Mr. Wilson Medford, Chairman of the ABC Board requested that the item be withdrawn from the agenda at this time. Mr. Medford said the item will be presented to the Board at a later time, possibly October.

Clerk's Report Regarding Voluntary Annexation Petition 6.6 Acres at 41 Lansing Road - Richard Miller

At the meeting of July 8, 2008, a petition was received from Mr. Richard Miller asking the Town to annex a 6.6 acre tract of land he owns located at 41 Lansing Road. This tract is located on the north side of the Route 23/74 Bypass in the Shingle Cove Area.

At that time, the Town Board passed a resolution directing Town Clerk Phyllis McClure to

investigate the sufficiency of that petition. This has been done and the Town Clerk reported that the petition meets the requirements of State law for consideration of annexation.

Alderman Moore moved, seconded by Alderman Roberson, to adopt a resolution to set the public hearing for annexation for Tuesday, August, 12, 2008. The motion carried unanimously. (Res. No. 21 -08)

Agreement With N. C. Department of Transportation Installation of Railroad Crossing Signals at Vance Street

At the Town Board's meeting in early June, it was noted that the North Carolina Department of Transportation was proposing to install highway grade crossing signals and gates at the railroad crossing on Vance Street in the Town Park. This would be a joint project with the Town under the federal program aimed toward improving the safety of railroad crossings. Under this program, the Federal Highway Administration funds the costs of the improvements and then the Town must reimburse 10% of the cost of the materials and installation as well as 10% of the annual maintenance costs on the signals and arms. When this matter was presented to the Board in June, there was agreement that this project was one that would be of benefit to the Town and its citizens.

Alderman Roberson moved, seconded by Alderman Feichter to authorize Mayor Brown to execute the contract between the Town of Waynesville and the N. C. Department of Transportation authorizing the installation of the crossing devices on Vance Street. The motion carried unanimously. (Cont. No. 17-08)

Voluntary Annexation Petition 4.4 Acres at Lickstone Road - Troy Muse

A petition was received from Mr. Troy Muse for the annexation of a 4.4 acre tract of land he owns on Lickstone Road in the Allens Creek Area. This property is located at the intersection of Lickstone Road and Pinewood Drive.

Alderman Caldwell moved, seconded by Alderman Moore, to adopt a resolution directing Town Clerk Phyllis McClure to investigate the sufficiency of the annexation petition. The motion carried unanimously. (Res. No. 22-08)

Pedestrian Plan Steering Committee

A few months ago, the Board appointed a group of interested individuals to serve on the Pedestrian Plan Steering Committee. This group is working with Director of Planning Paul Benson and the consultant on developing the Pedestrian Plan, and their purpose is to help identify the needs for pedestrian facilities within the town. The Board had indicated that if additional volunteers came forward to serve on the Committee, their names would be considered. At this point, the Committee has held an introductory meeting, and the primary work is scheduled to begin in late August.

An application was received from Mr. Bill Kramer, a resident of Shelton Street. Mr. Kramer is an ardent pedestrian who has been a part-time resident of the town. He has recently retired from his career as a chemical engineer. He has expressed a desire to be involved in the community through

service on either the Historic Preservation Commission or the Pedestrian Plan Steering Committee.

Alderman Feichter moved, seconded by Alderman Moore, to appoint Bill Kramer to serve on the Pedestrian Plan Steering Committee. The motion carried unanimously.

Miscellaneous Items

Alderman Moore said he received a telephone call from Craig Mills, a resident on Crymes Cove Road, requesting that a street light be installed and requesting that areas of the street be patched. Town Clerk McClure said she has spoken with Assistant Public Works Director Robert Hyatt and he is reviewing the requests.

Alderman Moore said there is a parking situation along Church Street on Sunday mornings that could possibly prohibit emergency vehicles from safely responding to emergency calls along the Church Street, Meadow Street and Tate Street areas. Manager Galloway said he will ask Police Chief Hollingsed to look at this situation and see if parking regulations are needed.

Alderman Roberson said several of the trees in Waynesville Commons are now dead and he asked who was responsible for the trees. Manager Galloway said when trees are planted at this time of year there is a concern about irrigation of the trees. This was one of the items discussed during the development process and with the lack of rain several of the trees have died. Manager Galloway added that Wal Mart plans to begin putting inventory in their new store in Waynesville Commons August 15 with an opening date in September.

Progress Energy and NC Department of Transportation have been trimming trees in the Tar Heel Drive area with little cleanup. Mayor Brown said he sent a note to the Town's representative with Progress Energy expressing the Town's concerns.

Alderman Feichter said there were sinking areas in the street at Lenoir Circle. Town crews have done a wonderful job in correcting the situation and trimming trees along the side of the road. The debris was cleaned up and hauled away.

Alderman Caldwell said the group home on Maple Street is almost complete and looks really good.

Manager Galloway said the North Carolina Department of Transportation will be making repairs along Pigeon Street in the area from South Main Street to Shelton Street beginning July 28 until August 4. Town crews have been replacing some old galvanized water taps and lines with copper in this area.

Manager Galloway said on Saturday, July 12, he along with Finance Officer Eddie Caldwell and Assistant Town Manager Alison Melnikova met with members of the Eagle Nest Homeowners Association regarding the proposed water system to serve that area. Attorney Griffin has been working with the property owners to get easements signed for this project. Approximately twenty to twenty-five easements have been signed. Mr. Ron Kroot, President of the Homeowners Association, picked up the rest of the easements yesterday and will be making contact with those property owners. Property owners have been asked to have their easements signed and returned by

September 1. Plans will then be submitted to the State for approval. It has been made clear to residents that the costs for this system will be the responsibility of the property owners, not the Town. There are some lots that cannot be built upon and other lots that owners have no intention of building on. Manager Galloway said there are a couple of situations where property owners own lots on both sides of the road. If these easements are not signed, there could be problems with the project. Since some properties could change in ownership and to ensure that the necessary easements are in place, Attorney Griffin will record easements as they are received. The Town will have a better idea about the project once the easements are signed and recorded. If easements are not signed, the project will not be done.

Adjournment

With no further business, Alderman Moore moved, seconded by Alderman Feichter, to adjourn the meeting at 7:36 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Gavin A. Brown
Mayor