

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
JUNE 24, 1997
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, June 24, 1997. Members present were Mayor Henry Foy, Aldermen Gary Caldwell, Earl Clark, Kenneth Moore and James Williamson. Also present were Town Manager A. Lee Galloway, Town Clerk Phyllis McClure and Acting Town Attorney Woodrow Griffin.

Approval of Minutes

Alderman Williamson moved, seconded by Alderman Caldwell, to approve the minutes of the June 10, 1997 meeting as presented. The motion carried unanimously.

Renaming of Frazier Street to Bible Baptist Drive

At the last meeting a petition was received from the Trustees of the Bible Baptist Church requesting the renaming of North Frazier Street to Bible Baptist Drive. The Town owns property along North Frazier Street and at the last meeting the Board endorsed this name change. By adding the Town's name to the petition the required 65% of ownership was met. At the request of John Swift the name change has been reviewed and approved by the Haywood County 911 Addressing Office.

Alderman Clark moved, seconded by Alderman Williamson, to rename North Frazier Street to Bible Baptist Drive. The motion carried unanimously. (Ord. No. 28-97)

Resolution Approving Terms of Financing the Sludge System with BB&T

Town Manager Galloway reported that the closing regarding the loan for the lease-purchase financing agreement, for the necessary improvements for the future disposal of sludge from the Wastewater Treatment Plant, would be held on Thursday, June 26, 1997 at 10:30 a.m. The amount of money the Town intends to borrow is a maximum of \$821,800 to be repaid at a cost of approximately \$98,000 annually over the next 12 years. A resolution approving these terms is needed for the closing.

Alderman Moore moved, seconded by Alderman Caldwell, to adopt the resolution approving the terms of financing the sludge system with BB&T. The motion carried unanimously. (Res. No. 24-97)

Annual Certification of Firemen

Under North Carolina State law, volunteer and full-time firefighters who are members of Certified Fire Departments are eligible for a \$25,000 line-of-duty death benefit and participation in a Pension Fund established by the State. In order for our firefighters to be eligible for this, the Fire Chief must sign his approval of the roster and the Governing Body must certify the roster. The Town currently employees ten (10) full-time paid firefighters and thirty (30) volunteer firefighters. This is the maximum number authorized by the Town Board for paid and volunteer firefighters.

Alderman Williamson moved, seconded by Alderman Clark, to approve the roster of eligible firemen to the Pension Fund. The motion carried unanimously.

Board Consideration of Final Plat Approval - McCotter Subdivision off Fourth Street

Mayor Henry Foy said that Mr. Dick McCotter has withdrawn his request for approval of a subdivision to be located off of Fourth Street in Waynesville. Mayor Foy said that the subdivision plans originally submitted by Mr. McCotter have been found to have too much grading which would strip the hillside bare and defeat the purpose of the Town's Hillside Development Ordinance. Mr. McCotter met with Town Manager Galloway and was agreeable to change the original plans. Mayor Foy said that the property is zoned R-4 which cannot be changed and that the Board cannot tell Mr. McCotter not to develop his property. In the meeting with Manager Galloway, Mr. McCotter has agreed to employ a landscape architect which is acceptable and will assure compliance with the Town's Hillside Development Ordinance. Mayor Foy said that Mr. McCotter plans to resubmit his plans, and the density of development will probably be less than before. Mr. McCotter plans to use a mixture of manufactured, modular and stick built homes, which are all allowed in the R-4 zoning district.

Alderman Williamson said it would have been good if Mr. McCotter had spoken with the neighbors in this area before submitting the plans for development.

Joni Cure', a local realtor, said that realtors are in the business of selling homes; however, they have signed petitions opposing this subdivision. Realtors are concerned with how Waynesville is going to be developed. Ms. Cure' pointed out that Marty Prevost, another local realtor and one of Waynesville's Planning Board Members, voted against approval of this subdivision.

Frank Childers presented petitions with approximately 600 signatures of residents throughout Haywood County who were opposed to the subdivision as proposed by Mr. McCotter.

Attorney Gavin Brown asked the Board to consider how the development will effect the character of this community 50 years from now, adding that this is what our children and grandchildren will have to deal with. Attorney Brown said it was time for the Board to "revisit the zoning laws". He said there were people interested in their community who would be willing to serve on a committee to study this issue. He presented a publication by the Courier (now The Enterprise Mountaineer) from the years 1809 to 1908 dealing with Haywood County History. In this publication it encouraged people to visit the Eagles Nest area, with its pure water and pleasant climate. Attorney Brown asked the Board protect this area by establishing a committee to study the Town's zoning issues.

Mayor Foy read the following statement: “There is an increasing influx of people to Waynesville, including those seeking land to develop or to enter into business here. It is therefore mandatory that this Board insure that the Town’s development standards are adequate for this anticipated growth. This Board has demonstrated its commitment to quality growth and accordingly I am asking for a motion to put the following into effect:

1. Put a 90 day moratorium on major subdivision development in order to
 - A. Consider increasing minimum lot sizes.
 - B. Where permitted, to limit the allowable number and location of mobile homes within a designated area.
 - C. Strengthen requirements of our subdivision ordinances including special attention to hillside development.
 - D. To specifically require qualified professional assistance in subdivision development from the outset to insure quality aesthetic and structural standards , and
 - E. To require all streets within the subdivision to have concrete curbs and gutters as well as sidewalks where appropriate.
2. Re-study and change, as appropriate, the zoning of all highly visible properties within the Town’s jurisdiction, including those along main arteries leading into the Town, and in consideration of infrastructure available to the particular areas.
3. Strengthen ordinances to enforce more rapid cleanup, elimination of junk vehicles, and improvement or removal of dilapidated, unoccupied and unsightly structures within the Town.
4. Adopt a Landscape Ordinance and appoint a Landscape Committee to set up and insure aesthetic orderliness and growth as well as enhance the Town’s natural beauty.
5. Support incorporation of the Downtown Historic Zoning District, including all mandatory requirement for this district. Note that 61% of the downtown buildings are contributing and 39% are non-contributing. However, both contributing and non-contributing buildings will be subject to Historic Building District guidelines when alterations or repairs are made.”

Catherine Armitage commented that there is a lack of affordable housing in the Town.

Ellen Childers asked the Board why they could not rezone the property. Ms. Childers suggested that the Board talk with other cities who have had similar growing problems; she also volunteered to help with the research if needed.

Attorney Griffin said that the petitioner had withdrawn his request and will resubmit another plan at a later date. Attorney Griffin said that the Board had to handle requests “even handed” and rezoning the property after the petitioner purchased the property for a particular purpose would not be a fair thing to do. Attorney Griffin stated that the Town’s ordinances have specific requirements of goals and objectives. If an individual complies with the specifics the Board is required to give

consideration to their request. Attorney Griffin warned that the changing of an ordinance is not to be done capriciously; the Board will need to review the goals and objectives, as well as the specifics of their ordinances as they apply to the community at large.

Residents also expressed concern that the developer could begin the project and abandoned the project before its completion. Other concerns were that the mobile homes proposed for the development would devalue their property. Doyle Plemmons suggested that the minimum square foot requirement be increased. Another suggestion was to increase the minimum lot size requirement.

Susie Plemmons asked what was necessary for the Board to rezone the property, and what the difference was with the different zoning districts. Attorney Griffin, Mayor Foy and Town Manager Galloway explained the process for rezoning property. Manager Galloway asked Ms. Plemmons how someone would feel if they purchased commercial property for commercial use and the Board rezoned it to residential. A gentleman in the audience said that by doing this the Town could be creating a lawsuit.

Alderman Williamson moved, seconded by Alderman Caldwell, to accept the proposed motion presented by Mayor Foy, with the additional request that the Town Attorney research the possibility of the Town rezoning the property. The motion carried unanimously.

Minor Subdivision Plat - Harriet Deaver - Buchanan Drive

Ms. Harriet Deaver is subdividing a 12 acre tract of land located on Buchanan Drive to create a new lot of .508 acres. The lot is zoned "R-1" and it meets or exceeds Town Standards. Approval of the minor subdivision plat is recommended by Town Staff.

Alderman Williamson moved, seconded by Alderman Clark, to approve the minor subdivision located on Buchanan Drive as requested by Ms. Harriet Deaver. The motion carried unanimously.

Certification of Appreciation - Mr. Reimar Steffen

Mayor Foy presented a certification of appreciation for Mr. Reimar Steffen, Manager of Waynesville Country Club. The certificate was for the Waynesville Country Club's participation in the "Great Trash Bash Spring Clean Up for 1997". Mr. Steffen said when he moved to this area in 1975 the entrance into Waynesville leading to the Waynesville Country Club was the biggest trash area he had ever seen. Mr. Steffen said he has a crew which goes out once a month to clean the area. Board members expressed appreciation to Mr. Steffen for what the Waynesville Country Club has done for the community.

Adoption of the 1997-1998 Budget Ordinance

Town Manager Galloway said the Board has conducted several work sessions to review the proposed budget for fiscal year 1997-1998. The proposed budget totals \$15,541,672. Manager Galloway said it takes a lot of money to operate the Town of Waynesville. The budget maintains a tax rate of \$.40

per \$100 valuation, water and sewer rates will increase by 5% inside the corporate limits and 8% outside the corporate limits, and electric rates will remain the same. Several large projects scheduled for the Town deal with sludge and purchase of watershed property.

Alderman Caldwell moved, seconded by Alderman Clark, to adopt the budget ordinance for Fiscal Year 1997-1998. The motion carried unanimously. (Ord. No. 29-97)

Resolution on Financial Operating Plan for Two Internal Service Funds for 1997-1998

Finance Director Eddie Caldwell presented a resolution which authorizes the operating funds for the Garage and Public Works Building Operations. The funds for the operation of these two areas come from general, water, sewer and electric funds; however, a separate resolution must be approved to authorize their operations.

Alderman Caldwell moved, seconded by Alderman Moore, to approve the resolution on the financial operating plan for two internal service funds for 1997-1998. The motion carried unanimously. (Res. No. 25-97)

Amendment No. 2 to the 1996-1997 Budget Ordinance

Finance Director Eddie Caldwell presented Amendment No. 2 to the 1996-1997 Budget Ordinance. This amendment allocates funding levels for those departments which are overspent. These increases address the unexpected costs such as the extensive work done on rehabilitation work on the sewer system, or the capital costs for electrical equipment to serve Associated Packaging Enterprises.

Alderman Caldwell moved, seconded by Alderman Moore, to approve the Amendment No. 2 to the 1996-97 Budget Ordinance. The motion carried unanimously. (Ord. No. 30-97)

Amendment No. 2 to the Water and Sewer Capital Project Ordinance

Finance Director Eddie Caldwell presented an amendment to the Water and Sewer Capital Project Ordinance. At the time it was adopted the Asheville Highway Project was the only one included. Since then Town Staff has recommended that the Knollwood Drive water line, the Knollwood Drive sewer line, the Browning Road sewer line and the Dellwood sewer line be added to this fund.

Alderman Caldwell moved, seconded by Alderman Moore to adopt Amendment No. 2 to the Water and Sewer Capital Project Ordinance. The motion carried unanimously. (Ord. No. 31-97)

Amendment No. 2 to the Community Development Project Budget Ordinance

The Town, working through Mountain Projects, Inc., has been selected to receive two additional grants to assist with the rehabilitation of housing in our community. One of these grants is in the amount of \$50,000 and the other is in the amount of \$110, 170. In order to secure these grants, the Town must pledge \$1,000 as a contribution to the continuation of this program. By the Town

contributing \$1,000 an additional \$160,170 can be secured for more housing rehabilitation work for the Town's citizens.

Alderman Caldwell moved, seconded by Alderman Moore, to adopt Amendment No. 2 to the Community Development Project Budget Ordinance. The motion carried unanimously. (Ord. No. 32-97)

Allow Retirees to Convert Their Medical Insurance to a Supplemental Policy After the Age of 65

Town Manager Galloway said when an employee retires at the age of 55 years, with at least ten (10) years service, the Town provides their health insurance at no cost until they reach 65 years of age. Once an employee reaches 65, their insurance with the Town terminates, since Medicare insurance begins to take effect. An employee sometimes purchases a supplemental insurance policy, to help pay any differences between the actual charges and what Medicare insurance covers.

The Town's insurance program through Municipal Insurance Trust has a supplemental policy, but our personnel rules do not specify that a retired employee may participate in that program. The Town recently received a request that employees and their spouses who reach the age of 65 be allowed to continue on the Town's insurance program by being allowed to purchase the supplemental insurance policy offered by MIT. The retired employee and/or spouse would pay the full expense; there would be no cost to the Town.

Alderman Williamson moved, seconded by Alderman Clark, to amend the personnel policy to allow employees and their spouses to purchase the supplemental policy at their own expense. The motion carried unanimously.

Special Meeting - Scheduled for Monday, July 14, 1997

A special meeting was scheduled for Monday, July 14, 1997, at 7:00 p.m. at Town Hall in order for the Board of Aldermen to meet with a representative of the N.C. League of Municipalities to study the Town's Personnel Pay Plan.

Adjournment

With no further business, Alderman Williamson moved, seconded by Alderman Clark, to adjourn the meeting at 8:25 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor