

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
DECEMBER 9, 1997
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, December 9, 1997. Members present were Mayor Henry Foy, Aldermen Gary Caldwell, Kenneth Moore and James Williamson. 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 - November 25, 1997

Alderman Moore moved, seconded by Alderman Caldwell, to approve the minutes of the November 25, 1997 meeting as presented. The motion carried unanimously.

Rezoning - Paving Contractors, Inc., dba Custom Paving .576 Acre Parcel - 105 Brendle Street

Attorney Jack Kersten, representing Custom Paving, requested the rezoning of a .576 acre parcel located at 105 Brendle Street from R-4 to C-2. Attorney Kersten said that it appeared that the zoning line had originally been drawn "arbitrarily", since this particular parcel of property seemed to extend into a C-3 zoning district. Attorney Kersten said that the Town's Planning Board recommended the rezoning to the C-2 zoning district rather than C-3 because the commercial use in a C-3 zoning district was too widespread. Attorney Kersten said that his client wanted to expand the commercial use of his existing business, possibly using the property for a storage building.

Mack Wiggins, of Custom Paving, said that he intended to clean up the area and is currently in the process of moving asphalt from the property. Mr. Wiggins said that a 40' strip of property located between the residential area and commercial areas serves as a buffer for the two districts. Mr. Wiggins said that the 40' strip of property does not seem large enough to be built upon.

Alderman Caldwell moved, seconded by Alderman Williamson, to rezone the .576 acre parcel of property located at 105 Brendle Street from R-4 to C-2. The motion carried unanimously. (Ord. No. 45-97)

Marcus Cable Franchise - Second Reading

Al Swiger, Marcus Cable Area Manager, attended the meeting to report that he was at Marcus Cable's corporate meeting after Thanksgiving and that the addition of the Black Entertainment Network Channel (BET) was approved at that time. Mr. Swiger also reported that he understood that there were a few Senators who are getting together to freeze cable rates and that if this happens before June 1998, the addition of BET may be delayed. Mr. Swiger said that all channel additions

and rate increases are effective on June 1 of each year. Ms. Edith Allen asked why it had taken Marcus Cable so long to make a decision. Mr. Swiger responded by saying that when approving their budget, Marcus Cable Company did not want to give an answer to one area without giving answers to the other nineteen states which they serve.

Alderman Caldwell moved, seconded by Mayor Foy, to approve the franchise agreement with Marcus Cable Company. The motion carried unanimously. (Ord. No. 46-97)

Fire Truck Bids

Town Manager Galloway said that bids were received on Tuesday, December 2, 1997, on a new fire truck for the Fire Department. Bid packages were sent to six different fire truck manufacturers. Three manufacturers submitted proposals as follows:

Burgess Fire Equipment	\$249,854
Slagle Fire Supply	\$238,641
Triad Fire, Inc.	\$249,891

Town Manager Galloway said that when the budget was presented for the 1997-98 Fiscal Year it was estimated that the cost of a new truck would be in the range of \$220,000. Fire Chief Bill Fowler and Fire Captain Mike Warren met with a representative of Slagle Fire Supply and were able to cut the equipment on the truck by \$19,828 since some of the equipment was transferable from the Howe fire truck to the new fire truck. After negotiating with Slagle Fire Supply the amount of the bid was reduced to \$218,763. A representative of Slagle Fire Supply was present to explain the warranty on the new fire truck and said that the truck could be delivered by June or July 1998.

Alderman Caldwell moved, seconded by Alderman Williamson, to award the bid for the new fire truck to Slagle Fire Supply, in the amount of \$218,763. The motion carried unanimously.

Fiscal Year 1996-97 Audit Report

Bruce Kingshill of Ray, Bumgarner, Kingshill and Associates reported on the 1996-1997 Audit for the Town. Mr. Kingshill reported that the Town was in good financial position; however, the Town will be faced with some large expenditures such as a new Recreation Center and purchase of property at the Town's Watershed. Mr. Kingshill commended the Board of Aldermen, Town Manager, Finance Director and Department Heads for being "prudent managers of the Town's cash", allowing the Town to be in such a good financial position. No action was necessary.

Report on Petition for Annexation - Mr. Eugene Ferguson - Felmet Street/Asheville Highway

Mr. Eugene Ferguson submitted petitions at the last meeting for annexation of two parcels of property located at Felmet Street and the Asheville Highway. The Board adopted a resolution instructing the Town Clerk to investigate the sufficiency of the petitions. Town Clerk Phyllis McClure reported that the petitions for the two parcels met the annexation regulations.

Alderman Moore moved, seconded by Alderman Williamson, to adopt a resolution to set the public hearing date regarding the request for annexations by Eugene Ferguson for Tuesday, January 13, 1998. The motion carried unanimously. (Res. No. 35-97)

Lighting for Flagpoles in the Veterans Section of Greenhill Cemetery

Alderman Williamson moved, seconded by Alderman Moore, to install lights for the flagpoles in the Veterans Section of the Greenhill Cemetery. The motion carried unanimously.

Closed Session - to Discuss a Personnel Matter

Alderman Moore moved, seconded by Alderman Williamson, to adjourn to closed session at 8:00 p.m. to discuss a personnel matter.

Alderman Caldwell moved, seconded by Alderman Williamson, to return to regular session at 8:46 p.m. Both motions carried unanimously.

Adjournment

With no further business, Alderman Caldwell moved, seconded by Alderman Moore, to adjourn the meeting at 8:49 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor