

REGULAR MEETING  
BOARD OF ALDERMEN  
TOWN OF WAYNESVILLE  
MARCH 10, 1998  
TUESDAY - 7:00 P.M.  
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, March 10, 1998. Members present were Mayor Henry Foy, Aldermen Gary Caldwell, J. Kenneth Moore, Sam Wiggins and James Williamson. Also present were Town Manager A. Lee Galloway, Town Clerk Phyllis McClure and Town Attorney Michael Bonfoey. Mayor Foy called the meeting to order at 7:00 p.m.

Approval of Minutes of February 24, 1998

Alderman Caldwell moved, seconded by Alderman Moore, to approve the minutes of the February 24, 1998 meeting as presented. The motion carried unanimously.

Public Hearing - Amendment to Sections 154.020, 154.033 and 154.006 - Homeless Shelters

The Planning Board, at their meeting of February 16, 1998, recommended approval of several amendments to the Zoning Ordinance to permit the location of homeless shelters in the C-2, C-3 and I-1 zoning districts.

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

Alderman Williamson moved, seconded by Alderman Caldwell, to adopt an ordinance to amend Sections 154.020, 154.033 and 154.006 regarding Homeless Shelters. The motion carried unanimously. (Ord. No. 11-98)

Annexation Request - Donnie & Margaret Phillips - 1141 Oakdale Road

At the last meeting, the Board received an annexation petition from Donnie & Margaret Phillips for property located at 1141 Oakdale Road. A resolution was adopted authorizing Town Clerk Phyllis McClure to investigate the sufficiency of the petition. The Town Clerk has found that the petition meets the requirements of State law and the next step is to pass a resolution setting the public hearing date for April 14, 1998.

Alderman Williamson moved, seconded by Alderman Moore, to set the public hearing date for the voluntary annexation request from Donnie & Margaret Phillips for property located at 1141 Oakdale Road for Tuesday, April 14, 1998. The motion carried unanimously. (Res. No. 3-98)

### Minor Subdivision Plat - Mountain Research Station

Town Manager Galloway said that the Mountain Research Station (Test Farm) is creating a 3-acre lot close to the intersection of Raccoon Creek Road and Test Farm Road. The lot will accommodate the Haywood Agricultural Center. The property is zoned "R-1" and the plat meets or exceeds Town standards. Town staff recommends approval with the following condition:

- 1) Submit soil evaluation for a septic tank.

Alderman Williamson moved, seconded by Alderman Moore, to approve the minor subdivision plat for the Mountain Research Station contingent upon the submission of a soil evaluation for the septic tank. The motion carried unanimously.

### Resolution - Review and Approval of Plans for the Sewer Line Between Lake Junaluska and Dellwood Hill

Town Manager Galloway said that all easements have been secured and all the paperwork has been completed for the installation of an 8" and 12" sewer line between Lake Junaluska and Dellwood Hill. The advertisement for bids is to appear this week with the bid opening scheduled for Thursday, April 2, at 2:00 p.m. The work is to be bid in two phases, phase one from the Lake Junaluska pool to Queen's Farm and phase two is from Queen's Farm to the top of Dellwood Hill. At one time, there was discussion about extending the sewer line from Route 19 south on Route 276 to the Maple Grove Church; however, when the Board considered the Town's share of the cost for the rest of the project, the line to the Maple Grove Church had to be eliminated. Town Manager Galloway said that a \$200,000 grant has been awarded by the Appalachian Regional Commission to assist with the costs of the portion of the project between the Lake Junaluska Pool and the Queen's Farm. With the total amount of this portion of the project being \$460,000 this leaves approximately \$260,000 to be divided between the Town and Haywood County. If Haywood County chooses to construct the portion of the project from Queen's Farm to Dellwood Hill, the entire cost for that portion of the project is to be paid by Haywood County. Town Manager Galloway said that he and Director of Public Works/Utilities Fred Baker have reviewed these plans and recommend approval in order to proceed with the bids for this project.

Mr. Richard Queen attended the meeting and asked if the sewer line would be extended to Mauney Cove and Ivy Hills. Mr. Queen said that there were apartments located on Mauney Cove Road which he owned at one time and which were now owned by his nephew. Town Manager Galloway said that the possibility of any extension to Mauney Cove was eliminated when the extension to Maple Grove Church was eliminated. Alderman Williamson said that petitions for annexation would be necessary for persons wishing to hook onto the Town's sewer. Manager Galloway said that if the plans are approved as presented that he could talk to Haywood County and possibly amend the contract at a later time. Manager Galloway pointed out that the Town received good cooperation from the people in this area. He also said that there were some difficulties which have caused time delays in getting the project to this point. Mr. Queen thanked the Board for bringing to closure a project which he feels has been needed for the past forty-four years.

Alderman Moore moved, seconded by Alderman Williamson, to approve the plans for the Dellwood Road Sewer Line Project as presented. The motion carried unanimously.

#### Request for Street Closings for 1998 By The Downtown Waynesville Association

Town Manager Galloway said that the Downtown Waynesville Association has submitted a list of the various programs scheduled for the downtown area during 1998, during which portions of various streets will need to be closed. Those dates are as follows:

1. Saturday, June 6 - Super Cruise '98 - Close Miller Street at Miller & Main/Miller & Haywood. Close Montgomery Street at the edge of Furniture Village and edge of Massie Furniture.
2. July 10 & 24 and August 7 & 21 - Friday Night Street Dances - Close Main Street at Depot intersection to end of Courthouse lawn, 6:00 p.m. to 9:30 p.m.
3. Friday, July 17 - Folkmoot Parade - 1:00 p.m. Close street as parade progresses - beginning at Main and Academy and ending at Courthouse. No parking on the street.
4. Saturday, July 25 - International Festival Day - Close Main Street from Pigeon and Main to Walnut and Main (or edge of Courthouse lawn), July 24, at 9:00 p.m. through July 25, till 6:30 p.m. Post "No Parking after 9:00 P.M." signs on July 24 during day along Main Street.
5. Saturday, October 10 - Church Street Art & Craft Show - Close Main Street from Pigeon and Main to edge of Courthouse lawn, October 9, at 9:00 p.m. through October 10 till 6:30 p.m. Post "No Parking after 9:00 P.M." signs on October 9 during day along Main Street.
6. Saturday, October 17 - Apple Festival - Close Main Street from lower Courthouse parking lot to Depot and Main intersection on Saturday, October 17, 1998, from 7:00 a.m. to 6:30 p.m.
7. Monday, November 30 - Waynesville Christmas Parade - 4:00 p.m. Close street as parade progresses. Remove parking on Main Street; close Hazel and Boundary at Walnut and North Main at 2:00 p.m. Close Walnut at N. Main at 3:00 p.m. and leave closed until 5:30 p.m. or until all floats have finished parade. Close Walnut at bridge intersection at 3:00 p.m. directing them toward N. Main. Leave closed until parade is finished.

Alderman Moore moved, seconded by Alderman Williamson, to approve the street closings for 1998 as requested by the Downtown Waynesville Association. The motion carried unanimously.

#### Amendment to the "Optional Coverage Relocation Benefits Policy" of the Community Development Block Grant

Town Manager Galloway said that when the Board approved the Community Development Block Grant (CDBG) in 1994, they also adopted the Optional Coverage Relocation Benefits Policy. Since the adoption of this policy there has only been one case which was dealt with using this policy. Manager Galloway said that the Town has encountered a special circumstance in which the home

is dilapidated and the lot is too small to build upon without the granting of several variances to the setback requirements. Manager Galloway said that the Town has a ½ acre parcel of property which could be used as property for a home for this individual. The proposed amendment to the relocation policy states that upon the death of the displaced person the Town would receive the parcel and the dwelling unit and could then lease or sell the house and lot to a low/moderate income family.

Alderman Williamson stated that he had received telephone calls from two persons who informed him that the individual was not willing to leave her home. Alderman Williamson said that he did not feel that the Town should be involved in furnishing a house for any person, because it could set a precedent and what you do for one person you would have to do for every person.

Mayor Foy said that the house is in serious need of repair and that work cannot be done to the house while the person is living in it. Mayor Foy said that this person was not willing to be moved to a rental apartment while this work was being done.

Police Lieutenant Tim Brooks said that Police Sergeant Mark Banks had taken the person to look at the property owned by the Town to see if she would be willing to live in a house at this location. Lieutenant Brooks said that she verbally agreed to this offer.

Alderman Wiggins suggested that the issue of whether the person was willing to move into another location be cleared up before any action is taken.

It was the consensus of the Board to postpone action on this request for two weeks. In the meantime, it was requested that a signed statement be secured from the person stating that they agree to the conditions of moving to another location.

#### Sale of Old Hazelwood Town Hall

Town Manager Galloway said at the meeting of February 24, the Board received a bid on the Old Hazelwood Town Hall and authorized the advertisement for upset bids beginning on April 1, 1998. After reviewing the NC General Statutes it was discovered that the bid should have been accompanied by a 5% bid deposit. Since the offer did not include this deposit it was determined to be an invalid bid.

Town Manager Galloway said that the Town had been contacted by a number of other individuals and businesses that were interested in this property. Since the last meeting each of these persons has been contacted and advised that the Mayor and Board of Aldermen are interested in selling the Old Hazelwood Town Hall. Manager Galloway said that he indicated to those interested parties that proposals would be accepted until 5:00 p.m. on April 10 and that all proposals would be presented to the Board at their meeting on April 14. At that time the highest bid could be announced giving the opportunity for others to submit an upset bid.

Alderman Williamson moved, seconded by Alderman Moore, to rescind the action of the meeting of February 24, and accept the action to submit bids to the Board at their April 14, 1998 meeting. The motion carried unanimously.

Request by Waynesville Police Officers Association for Reward Fund Donation

Police Officer David Jones, President of the Waynesville Police Officers Association, said that the Waynesville Police Department has exhausted all leads in solving the recent cross burning at the Waynesville Middle School. Officer Jones said that the Police Officers Association has contributed \$250 toward the establishment of a reward fund for information leading to the arrest and conviction of the person or persons who committed this crime, and that a couple from Whittier, NC has added a \$100 donation for this purpose, bringing the total reward amount to \$350. Officer Jones asked for the Board's help by matching this donation in the amount of \$350. Officer Jones added that any money donated for this purpose would revert back to the donor if not awarded after a certain period of time.

Alderman Caldwell moved, seconded by Alderman Williamson, to contribute \$650 toward this reward fund, bringing the total amount offered to \$1,000. The motion carried unanimously.

Minor Subdivision Plat - Gordon Hendrix

Town Manager Galloway said that Mr. Gordon Hendrix is subdividing a 30+ acre tract of land located on Bridgett Drive. He is creating a new .732 acre lot which already has a house constructed on it. The property has well water and a septic tank and it complies with Town standards. The property is zoned "R-1" Low Density Residential and Town Staff recommends plat approval.

Alderman Moore moved, seconded by Alderman Caldwell, to approve the minor subdivision plat as recommended. The motion carried unanimously.

Adjournment

Alderman Williamson moved, seconded by Alderman Moore, to adjourn the meeting at 8:03 p.m. The motion carried unanimously.

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Phyllis R. McClure  
Town Clerk

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Henry B. Foy  
Mayor