

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
SEPTEMBER 22, 1998
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, September 22, 1998. Members present were Mayor Henry Foy, Aldermen Gary Caldwell, Kenneth Moore, Sam Wiggins and James Williamson. Also, present were Town Manager A. Lee Galloway, Town Clerk Phyllis McClure and Town Attorney Michael Bonfoey.

Proclamation - Community Revitalization Funds

A public hearing was held at the meeting of September 8, regarding the application to the Community Development Block Grant Program (CDBG). Mayor Foy said that in 1994, when the Town was able to secure the last CDBG, the Mayor and Board pledged a \$50,000 Town contribution toward the program. This program had a tremendous positive impact on the housing of mostly elderly individuals and it is requested that the Mayor and Board pledge \$50,000 toward this new CDBG application. These funds would come from the General Fund during the 1999-2000 fiscal year.

Alderman Wiggins moved, seconded by Alderman Moore, to adopt a resolution appropriating \$50,000 to the proposed 1999-2000 Town of Waynesville Community Development Block Grant Project. The motion carried unanimously. (Res. No. 19-98)

Reappointment of Recreation and Parks Advisory Commission Members

Mayor Foy said that the terms of Recreation and Parks Advisory Commission Members Kenny Mull and Ed Moore will expire on September 30, 1998. Both of these men have given good service to the Board and the citizens of this community. Recreation Director Mike Smith has contacted both Mr. Mull and Mr. Moore and each has indicated a willingness and desire to continue service on this Commission.

Alderman Williamson moved, seconded by Alderman Moore, to reappoint Kenny Mull and Ed Moore to each serve another three year term to expire on September 30, 2001. The motion carried unanimously.

Reappointment of Waynesville Housing Authority Members

Mayor Foy said that the term of Waynesville Housing Authority Member Hilliard Gibbs expired on September 1, 1998 and Catharyn Lenoir's term expires on October 31, 1998. N. C. General Statutes authorizes the Mayor to appoint/reappoint housing authority members.

Mayor Foy announced that Hilliard L. Gibbs is reappointed to serve another five (5) year term to expire September 1, 2003 and that Catharyn Lenoir is reappointed to serve another five (5) year term

to expire October 31, 2003.

Mr. Bob Breese - History of Waynesville Mayors/Request for Correction to Mayor's Portraits

Mr. Bob Breese, 77 Springview Drive, Waynesville, attended the meeting to request a correction to one of the Mayor's portraits which is displayed in the Town Hall Board Room. Mr. Breese said that he has tried on several occasions to have this correction made. Mr. Breese said that Mayor Henry Clayton asked for his help, along with help from Joe Sloan and Ms. Will Hyatt, in obtaining information regarding past Mayors of the Town of Waynesville in order that Mr. Ray Rouser could complete portraits of the former Mayors. Mr. Breese said that the old Town Hall was destroyed by fire in 1917, and very few records were available before that time. Nine or ten of the former Mayors are not pictured in the Board Room because their pictures could not be located or they were not available. Mr. Breese said that at one time elections were held yearly.

Mr. Breese said that one portrait is identified as Alden Howell, but this is incorrect. Mr. Breese said that it had taken him thirty years to find out who it actually was. Approximately three and one-half months ago he found a picture in the Library identifying that the portrait was actually that of George Henry Smathers who served as Mayor sometime around 1880. Mr. Breese asked that this correction be made.

Alderman Williamson moved, seconded by Alderman Caldwell, that the correction be made to change the name of Alden Howell to George Henry Smathers and also to instruct Town Staff to include in the Board Room, along with the former Mayors' portraits, the portrait of current Mayor Henry Foy. The motion carried unanimously.

Dr. Doris Hammett, MD - Resolution Regarding the Mountains to the Sea Trail

Dr. Doris Hammett, MD, attended the Board Meeting to request that the Board support the recommendation of the Balsam Highlands Task Force for the route for the Mountains to Sea Trail. Dr. Hammett said that the Balsam Highlands Task Force is one of this trail's 15 task forces and that this trail has been completed by volunteers on foot over the past several years. Dr. Hammett asked that the Board also contact Representative Charles Taylor in support of the Task Force for the site of the connector trail from Balsam Gap to Orchard Overlook on the Blue Ridge Parkway. Dr. Hammett said that a few residents have objected to the trail being on the Blue Ridge Parkway because it adjoined their property.

It was the consensus of the Board to adopt a resolution supporting the recommended route of the Balsam Highlands Task Force, from Balsam Gap to Orchard Overlook on the Blue Ridge Parkway, as part of the Mountains to Sea Trail. The motion carried unanimously. (Res. No. 20-98)

Haywood Animal Welfare Association - Mr. Bob Veener

Mr. Bob Veener, representing the Haywood Animal Welfare Association (HAWA), said that HAWA has been in existence since 1956, and has grown each year. At the present time they help spay/neuter 10 - 20 animals per week. HAWA's adoption program saves approximately 800 animals per year out of 3,700. Mr. Veener requested assistance from the Town of Waynesville to help with additional personnel at the Animal Shelter. Mr. Veener said that currently there are four (4) full time

employees at the Shelter and that one (1) temporary employee is funded by HAWA. Another person is needed to answer phones for approximately nine (9) months per year. This would cost approximately \$5,000.

Alderman Wiggins suggested that Mr. Veener contact Haywood Community College, which sponsors business students by giving them credit for working in business environments. Mr. Veener said that he has spoken with Haywood Community College, UNC Agriculture Center and occasionally has community service work persons who help at the Shelter. Mr. Veener said that he planned to contact the Hazelwood Department of Corrections to see if it would be possible to have inmates work in the adoption center.

Mr. Veener said that several people in Haywood County provide foster care for homeless animals until a permanent home can be found. Mr. Veener presented a proclamation for the Board's consideration to declare the Town of Waynesville a "Pet-Friendly Town" and also to declare the month of November as "Pet Welfare Awareness Month".

Alderman Wiggins moved, seconded by Alderman Williamson, to proclaim the Town of Waynesville a "Pet-Friendly Town" and to declare the Month of November as "Pet Welfare Awareness Month" in the Town of Waynesville. The motion carried unanimously.

Minor Subdivision - David Eavenson - Oakdale Road

David Eavenson is subdividing a 2.96 acre lot on Oakdale Road to create five (5) new lots. The property is zoned "R-1" Low Density Residential District and it is located inside the corporate limits. Town Staff recommends approval of the plat with the following conditions:

- 1) Acquire a 20' utility easement from William Queen for drainage and sewer line installation.
- 2) Town assumes off-site sewer construction cost of \$17,000 and off-site drainage system construction cost of \$6,500.
- 3) Obtain State permits for water and sewer systems.
- 4) Provide engineer's estimate and surety bond for water, sewer, paving and drainage improvements.

Mr. Eavenson attended the meeting and asked that the 20' utility easement be reduced to a 10' utility easement, since the Queen's had verbally agreed to give a 10' easement, but not a 20' easement. Mr. Eavenson asked if an engineer's estimate would be necessary, since he always completed the improvements himself.

Alderman Williamson moved, seconded by Alderman Caldwell, to approve the minor subdivision located on Oakdale Road, as requested by David Eavenson. Approval is subject to the conditions as requested by Town Staff, with the exception that a 20' utility easement be reduced to a 10' utility easement, along with a construction easement, and that the Town Manager work with Mr. Eavenson in resolving the requirement of an engineer's estimate and surety bond for water, sewer, paving and drainage improvements. The motion carried unanimously.

Award of Bids - Street Paving

Town Manager Galloway said that bids were received on August 27, 1998, on providing street

paving services during the 1988-1999 Fiscal Year. Those bids were received as follows:

<u>Company</u>	<u>Bid Bond</u>	<u>Price/Ton</u>	<u>Total Bid</u>
WNC Paving	Yes	\$47.14/ton	\$259,484.00
Custom Paving	No	\$51.20/ton	\$298,900.00
APAC Paving	Yes	\$55.00/ton	\$292,437.60

Manager Galloway said that the Town budgeted \$200,000 for street paving services during Fiscal Year 1998-1999 and that the bids exceeded that amount. Manager Galloway said that the streets included for paving this year are prioritized, and with the total bid amount exceeding the budgeted amount some of the lower priority streets may need to be added to next year's list.

Alderman Wiggins said that the conditions of the streets inside Waynesville are terrible and in need of repair, especially Main Street. Alderman Williamson asked the Mayor if a letter could be written to the North Carolina Department of Transportation requesting paving of some of their streets inside Town. Alderman Wiggins felt that the Town was guilty of not taking action on some of these issues and that a letter should be written to the North Carolina Department of Transportation to express that the Town is unhappy with the condition of their roads.

Jack Faulkner, a resident of Park Drive, said that the Town has not completed work on Park Drive. Mr. Faulkner said that a 10' right-of-way was given to the Town to place a retaining wall on Park Drive. Residents are concerned because the street is beginning to cave in. Town Manager Galloway said that the Town has an agreement for this work to be completed.

Charles Miller said that he spoke with Ron Leatherwood, a NCDOT Board Member, and that Mr. Leatherwood told him that the State plans to repair Allens Creek Road next year.

Alderman Wiggins expressed displeasure with the streets in Waynesville, saying that some of the streets were being ignored and needed to be cleaned up, trash is not being picked up and that sweeping is not being done properly. Alderman Wiggins suggested that the Town Manager go with the Engineer or Street Superintendent and look at the work that needs to be done. Alderman Wiggins said that the Town's crews are just "aisle sweeping" and not doing a good job in cleaning the street, especially those in the Hazelwood area. Alderman Wiggins also felt that the Town was not using the equipment that they should be using.

Alderman Moore, said that the Town's sidewalks are in poor shape, adding that the Town of Maggie Valley has built new sidewalks using the inmates from the NC Department of Corrections and that those sidewalks look good. Alderman Williamson said that the Town should use free labor whenever possible. Town Manager Galloway pointed out that the Town currently has about six work orders with the NC Department of Corrections for their help with different projects. However, they are currently working on other projects which they previously committed to and as soon as those are complete they will be back in Waynesville to complete our work orders. Town Manager Galloway also pointed out that the Town has been working overtime with the street sweeper, in an effort to get caught up with street cleaning. Town Manager Galloway said he felt that the Town's crews have been doing a good job with this clean up effort.

Alderman Wiggins moved, seconded by Alderman Williamson, to accept and award the low bid for street paving to WNC Paving, in an amount up to \$200,000 as budgeted in the Fiscal Year 1998 - 1999 Budget, and to accept the priorities for street paving as established by Town Manager Galloway. The motion carried unanimously.

Award of Bids - Rear Loading Garbage Truck

Town Manager Galloway said that bids were received on September 17, 1998, on providing a rear loading garbage truck for the Sanitation Department. This unit will replace a 1984 rear loading garbage truck. Those bids were received as follows:

<u>Company</u>	<u>Bid Amount</u>	<u>Bid Bond</u>	<u>Delivery Time</u>
Carolina Env. Systems	\$77,650.00	Yes	30 days after order
Cavalier Equipment Co.	\$80,077.80	Yes	250-280 days after receipt of order
Carolina Truck Centers	\$77,310.00	Yes	Approximately 90 days after receipt of order

Alderman Wiggins moved, seconded by Alderman Williamson, to award the bid for the rear loading garbage truck to Carolina Environmental Systems in the amount of \$77,650.00. This bid is approximately \$300 more than the low bidder, however, there is a much shorter delivery time. The motion carried unanimously.

Speed Limit - Country Club Drive

Town Manager Galloway reported that a request from a citizen regarding the speed limit on Country Club Drive was recently received and evaluated by the Waynesville Police Department. This issue was also brought up at the last Board Meeting by one of the Aldermen. Town Crews posted signs at the peak of the hill on Country Club Drive to note the dangerous intersection and 20 mph speed limit signs were also posted at that intersection; however, no action was ever taken by the Town Board, so the 20 mph speed is unenforceable. The Waynesville Police Department has studied this area and recommended that the speed limit for Country Club Drive be set at 30 miles per hour for all sections of the road except for that section between Ninevah Road (at the entrance to the Waynesville Country Club) and Auburn Road, which should be set at 20 miles per hour.

Alderman Moore moved, seconded by Alderman Wiggins, to set the speed limit along Country Club Drive at 30 miles per hour for all sections of the road except for that section between Ninevah Road (at the entrance to the Waynesville Country Club) and Auburn Road which should be set at 20 miles per hour, as recommended by the Waynesville Police Department. The motion carried unanimously. (Ord. No. 31-98)

Utility Lines to Agricultural Center and Route 276

Town Manager Galloway said approximately two years ago, the Town and County joined together on a water and sewer line project along the Asheville Road corridor. Sewer lines were extended from the Junaluska Elementary School to behind G. P. Graphics and then along the Asheville Road

almost to the corporate limits next to the Elections Board Office.

Haywood County is constructing a new Agricultural Center across from the Test Farm on Raccoon Road. Haywood County originally planned to have a septic system to serve the Center. However, in mid-summer, the State was considering relocation of all the Soil Erosion Engineers from our region. This would have cost the County about 15 jobs, therefore the County offered to house them at the Agricultural Center. This decision meant that there would have to be an addition to the parking spaces, which was an area necessary for the septic system. Haywood County approached the Town about a joint project to extend water and sewer to the Center. Interest was expressed in seeing the sewer line go all the way to Highway 276 and be available for a possible Extended Care Facility, the Hawkscrest neighborhood and several large tracts of land which are currently being developed for residential uses.

These improvements discussed would cost approximately \$513,000. With the possibility of the County earning a \$200,000 grant from the Appalachian Regional Commission, this would reduce the cost on the local level to around \$300,000. The question that has been posed to the Town is whether Waynesville is willing to share in the cost of this project on a 50 - 50 basis, meaning a cost to the Town of around \$150,000. The Town has recommended an 8-inch line rather than a 6-inch line, but that does not boost the cost of the project very much. It is recommended that the Town initially offer to provide \$100,000 of the \$300,000 for this project. It is felt that this is an excellent investment and will have positive returns for the Town.

Alderman Wiggins said that the residents along Mauney Cove Road at Haynes Mobile Home Park need sewer for the mobile homes, and he felt that if the Town could not afford to extend the sewer lines to the Mauney Cove Road area then they shouldn't spend money to extend those lines to other areas. Alderman Wiggins said that he was opposed to the Town contributing funding to the Agriculture Center project because it appeared to be a "one-sided deal".

Alderman Williamson said that the Francis Farm Road area needed city water because the Town has dumped garbage at the old landfill which was located there for years. Alderman Wiggins said that he had a problem with the Town contributing 50% of the money needed for the Francis Farm Road project this year.

Alderman Williamson moved, seconded by Alderman Moore, to combine all three projects (sewer along Dellwood Road, water along Francis Farm Road, and sewer to the proposed Agricultural Center), present them to Haywood County and request that the County submit a proposal between the Town and County. The motion failed with a vote of two (2) ayes (Moore and Williamson) and three (3) nays (Caldwell, Foy and Wiggins).

Alderman Wiggins pointed out that when the Board held their Fiscal Year 1998-99 Budget Meeting, it was decided that the Francis Farm Road water line project be delayed. Manager Galloway said that the Town had a cost estimate on this project and the Board authorized him to have plans prepared for this project. The Town currently has a contract with McGill and Associates for engineering design of the Francis Farm Road project. Alderman Moore said that if the Town couldn't complete one of the requested projects that they shouldn't do one of the other projects.

After further discussion, Alderman Williamson restated his first motion, seconded by Alderman

Moore, to combine all three projects, present them to Haywood County and request that the County submit a proposal between the Town and County. The motion carried unanimously.

Manager Galloway said that there had been no commitment made to Haywood County or to the County Manager, just that their request would be presented to the Board.

Request to Change Meeting Date of October 27, 1998

Town Manager Galloway requested that the regular meeting of October 27, 1998 be changed to October 29, 1998, in order for him to attend the International City Management Association Conference in Orlando, Florida. Manager Galloway said that at this conference he will be presented a plaque in recognition of 25 years service in this profession.

Alderman Caldwell moved, seconded by Alderman Wiggins, to change the meeting date of October 27, 1998 until October 29, 1998. The motion carried unanimously.

Resolution - Domestic Violence Task Force

Ms. Sybil Mann, presented a resolution supporting efforts to stop domestic violence in Haywood County. Ms. Mann expressed appreciation for all the support given by Police Chief Frank Ross to the Domestic Violence Task Force, adding that Chief Ross was one of the officers who helped begin the Task Force which has been in existence for about twenty months. Ms. Mann said that Haywood County's Task Force is being used as a model for the State of North Carolina. Every law enforcement officer in Haywood County (159 at this time) has been trained to deal with domestic violence. Ms. Mann said that the Towns of Clyde and Maggie Valley have both adopted resolutions. Ms. Mann said that Haywood County is now #2 in the State of North Carolina for domestic violence issues.

Ms. Mann invited Board Members to a special meeting on October 26, 1998, on the Courthouse lawn to recognize the efforts to stop domestic violence.

Alderman Williamson moved, seconded by Alderman Wiggins, to adopt a resolution supporting efforts to stop domestic violence in Haywood County. The motion carried unanimously. (Res. No. 21-98)

Various Concerns of Residents

Mr. Jack Faulkner said that the people along Park Drive were concerned about a proposed family care home to be located on Assembly Street.

Attorney Bonfoey informed Mr. Faulkner that a moratorium had been placed on the location of any family care home being located within one-half mile of another family care home until November 1, 1998. Attorney Bonfoey said that the Board could not prohibit family care homes from being located in residential areas. Attorney Bonfoey said that a permit has not been issued at this point for the family care home on Assembly Street. Attorney Bonfoey said that he has been contacted by an Attorney for this organization, asking questions as to why no one from the Town has spoken to his people regarding this. Attorney Bonfoey told him that the Town Clerk had called to try to schedule

a meeting with Mr. John Tote, Town Manager Galloway, Mayor Foy and himself. A letter was written by Mayor Foy to Mr. John Tote. Town Manager Galloway telephoned Mr. Tote and was informed that a meeting would not be possible until sometime in late October. Attorney Bonfoey cautioned the Board on commenting on this matter at this time. Mayor Foy said that the plans for this proposed family care home are located in Planning and Zoning Manager John Swift's office if anyone is interested in reviewing them.

Mr. J. C. Deweese said that he was the President of the NC Federation of Square Dancers. Mr. Deweese said that they have planned to have a benefit dance for Hospice on September 27, 1998. A new roof is being installed at the Armory and his organization has been told that they cannot have their benefit dance at this location. Mr. Deweese said that this would be an embarrassment since everything has already been scheduled and people have already bought their tickets. Mr. Deweese said that this is an event which is done every year. Last year \$40,000 was raised for the entire State of North Carolina; \$4,000 was raised by his group. Mr. Deweese asked if the roof at the Armory could be completed or if accommodations could be made to allow his group to perform there on September 27, 1998, as planned.

Alderman Wiggins moved, seconded by Alderman Caldwell, to put forth efforts to put up plastic or make other arrangements for the NC Federation of Square Dancers to be allowed to perform at the Armory on September 27, 1998. The motion carried unanimously.

Town Manager Galloway said that he would make every effort to see that this group be allowed to perform at the Armory on September 27, 1998.

Mr. Jack Faulkner expressed concern regarding the selection process for choosing a new Police Chief for Waynesville. Mr. Faulkner, after receiving comments from several unidentified persons, was concerned that the choice of a new Police Chief may not come from within the existing police force. Mr. Faulkner was concerned that morale problems would be created if the support of the people did not exist and that police officers may not perform in a satisfactory manner.

Mayor Foy said that Waynesville has a seventeen million dollar budget and is required to have a trained and professional Town Manager. This training enables him to make the selection of all department heads in the Town. Mayor Foy said that he was confident that Town Manager Galloway will do a good job in choosing a new Police Chief. Manager Galloway hired Police Chief Frank Ross who did an excellent job while serving in that position. Mayor Foy said besides the Town Manager the most important position in the Town of Waynesville is the Police Chief.

Alderman Wiggins said that Town Manager Galloway has the least amount of imperfections of any Town Manager that the Town has ever had. Manager Galloway has done an outstanding job hiring employees and handling personnel for the Town. If a Manager does not do a good job he answers to the Board of Aldermen. Alderman Wiggins said that he was satisfied that Town Manager Galloway will choose a well qualified Police Chief for this community.

Manager Galloway said that Police Chief Frank Ross was hired by him and was a good Police Chief for the Town of Waynesville. Manager Galloway said that hopefully the next Police Chief can stay with Waynesville for a longer period of time.

Charles Miller said that he did not question Police Chief Ross' ability but he did question the budget for the Police Department. Mr. Miller said that he could not understand why the Police Department budget had risen one-half million dollars in 3 ½ years.

Manager Galloway said during that in July 1995 the Town of Hazelwood merged with the Town of Waynesville, and that during that 3 ½ years additional equipment and personnel were needed in order to enable the Town to handle the additional area which was Hazelwood.

Alderman Wiggins said that he would hate for the Police Department to return to the way it was before Chief Ross was hired because in three years, Chief Ross cleaned up a messy Police Department. Alderman Wiggins said that citizens do have a right to question a department's budget, however, there has been a lot of progress made in the Police Department.

Alderman Caldwell agreed with the comments made by Mayor Foy and Alderman Wiggins. No action was necessary.

Award Lease Agreement for Police Vehicles

Manager Galloway said that bids were received regarding the lease for five (5) police cars as follows:

Taylor Motor Company	2 year lease	5 vehicles	\$45,000
An-Ton Chevrolet	2 year lease	5 vehicles	\$60,400
An-Ton Oldsmobile	2 year lease	5 vehicles	\$64,400
Anderson Chevrolet	2 year lease	5 vehicles	No Bid
Bryan Easler Toyota	3 year lease	5 vehicles	\$47,062
Apple Tree Honda	3 year lease	5 vehicles	\$48,624
Jim Barkley Toyota	3 year lease	5 vehicles	\$47,448
Saturn of Asheville	3 year lease	5 vehicles	\$38,564

Alderman Williamson moved, seconded by Alderman Moore, to accept the bid of Taylor Motor Company. The motion failed with two (2) ayes (Moore and Williamson) and three (3) nays (Caldwell, Foy and Wiggins)

Alderman Wiggins moved, seconded by Alderman Caldwell, to accept the low bid of Saturn in the amount of \$38,564 for a 3 year lease on 5 vehicles. The motion carried with three (3) ayes (Caldwell, Foy and Wiggins) and two (2) nays (Moore and Williamson).

Adjournment

With no further business, it was the consensus of the Board to adjourn the meeting at 9:27 p.m.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor