

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
JANUARY 26, 1999
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, January 26, 1999. 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. Mayor Foy called the meeting to order at 7:00 p.m.

Approval of Minutes of January 7, January 12 and January 18, 1999

Alderman Williamson moved, seconded by Alderman Caldwell, to approve the minutes of the January 7, January 12 and January 18, 1999 meetings as presented. The motion carried unanimously.

Skateboarding Regulations

At the last meeting, Mr. Don Norris spoke with the Board regarding some problems he was experiencing with skateboarders at and around his business located on Depot Street. Mr. Norris asked that the Town consider extending the ban on skateboarding in the downtown tax district and allow the ordinance to also ban skateboarding on Depot Street. Town Manager Galloway asked the Police Department to recommend any other streets which should be included in the ordinance. The Police Department has recommended that skateboarding be prohibited on the following streets if the ordinance is amended: Depot Street, Boyd Avenue, Brown Avenue to Hazelview, Haywood Street, Branner Avenue and Walnut Street. These streets were recommended to be included due to school traffic, previous problems with skateboarding and the large amount of vehicular traffic on the streets.

Town Manager Galloway said that the Police Department met with several skateboarders and their parents at the former Hazelwood Town Hall during the summer of 1998. The skateboarders were advised at that time that they would have to stop skateboarding in the downtown area.

Alderman Williamson asked if a warning ticket could be issued before a regular ticket. Alderman Moore pointed out that a juvenile petition would be required if any skateboarders were under a certain age. Attorney Bonfoey confirmed that a juvenile petition would be required. Town Manager Galloway said that he would ask that the Police Department warn skateboarders before a ticket is issued. Alderman Moore said that it may be possible for a skateboarding area to be built behind Hazelwood School since a large concrete slab is already in existence. Alderman Caldwell said that he has already begun work on trying to get a place for the skateboarders, however, he could not reveal any of the details at this time. Alderman Caldwell said that he should have additional information within the next month, and if everything worked as he expected it looked good.

Ms. Jane Lee said that skateboarding will grow in popularity and will be a sport in the next Olympics. Ms. Lee said that skateboarding usually does not have a lot of parental involvement, and this could be the reason why there have been problems with some skateboarders. Ms. Lee pointed out that children must be offered an alternative when they are doing something wrong, and she asked that the Town help find a place for the skateboarders. Ms. Lee said that she felt that there would be good community support in this effort.

There was some discussion regarding some recent problems with tires being slashed at the Methodist Church and problems with skateboarders going into the church and library. Ms. Philan Medford pointed out that the library hired a security guard to help with the problem.

Mayor Foy commended Alderman Caldwell for approaching this matter in an organized manner. No action was taken; Alderman Caldwell will report to the Board as soon as he has additional information.

Historic Preservation Commission - Reappointment of Members

The terms of Ms. Helen Malina and Mr. Bob Moody will expire on January 31, 1999.

Alderman Williamson said that he has had several calls requesting that two additional members be added to the Historic Preservation Commission from Waynesville's Downtown area to represent the downtown area if it is to be considered as a Historic District.

Alderman Wiggins said that the property owners in the downtown area are concerned that the ordinance will become too restrictive if a historic district is established in the downtown area, giving Charleston, South Carolina as an example. This is why the property owners in this area would like some representation from the downtown area.

Mayor Foy pointed out that the Town's Ordinance requires that members have certain qualifications before serving on the Historic Preservation Commission. Mayor Foy suggested that the Historic Preservation Commission be expanded to include the seven (7) regular members and that two (2) temporary members be appointed to serve only while an area is being considered as a historic district. If this is possible, each area would have representation. Planning and Zoning Manager John Swift could call Raleigh and find out if it is legal to appoint members temporarily while an area is being considered as a historic district.

Alderman Williamson moved, seconded by Alderman Moore, to delay action on this matter and to instruct Planning and Zoning Manager John Swift to investigate the possibility of the temporary appointment of two (2) members to serve as representatives during the time that an area is being considered as a historic district, with the requirement that the temporary members are property owners in that district. The motion carried unanimously.

Action on Letter of Credit - Wolfpen Associates, Inc.

Town Manager Galloway said that a letter from Andy Brown of Wolfpen Associates was received requesting the release of a Letter of Credit from George Escaravage to assure that certain

improvements would be completed as a part of the development of the Waynesville Industrial Park. There is still work to be done on this project, therefore it is proposed that a cash bond be accepted to assure completion of the road construction. It is estimated that there is approximately \$11,000 left in paving to be performed on this project and Wolfpen Associates intends to do this work as soon as the asphalt plant opens in late March. The Town's Ordinance requires that a bond in the amount of 125% of the estimated cost be submitted to assure completion of the work, which amounts to \$13,750.

Alderman Wiggins moved, seconded by Alderman Williamson, to: 1) release the letter of credit from Mr. Escaravage; 2) Accept a cash bond from Wolfpen Associates in the amount of \$13,750, to assure completion of the paving; and, 3) Town Manager Galloway be authorized to release the cash bond once the work has been completed satisfactorily. The motion carried unanimously.

Audit Report - Fiscal Year Ending June 30, 1998

Mr. Bruce Kingshill, of Ray, Bumgarner, Kingshill and Associates, reported on the results of the Annual Audit for the fiscal year ending June 30, 1998. Copies of the audit report were distributed to the Board of Aldermen for their review. Mr. Kingshill reported that there was not a big difference in revenues from last year to this year. He reported that the cash position of the Town as of June 30, 1998 was \$4,926,014, which is an increase of \$692,427 from June 30, 1997. Mr. Kingshill reported that the Town is in the process of interviewing computer software companies to ensure that the Town is in compliance with the year 2000 (Y2K). A decision should be made the first week in February, and the Board of Aldermen will consider awarding the bid for a new computer system at their meeting on February 9, 1999. Mr. Kingshill reported that the Town of Waynesville will be in compliance by the year 2000.

Mr. Kingshill said that his firm did not find any problems with the audit, but his firm did make some recommendations regarding the internal control structure. Mr. Kingshill said that the Town of Waynesville has good leadership with Town Manager Lee Galloway and Finance Director Eddie Caldwell, adding that the Town's Staff was certainly a good team to work with.

Roscoe Wells felt that the Town waited too late to begin their search for a computer system which would be Y2K compliant. Town Manager Galloway said that actually the Town talked to the auditors during the summer of last year and hired a consultant for the process of obtaining requests for proposals for the computer system. Part of that process requires that the computer company certify that the system is Y2K compliant. Manager Galloway said that the system should be up and running by July 1, 1999.

Mid Year Financial Report

Finance Director Eddie Caldwell presented a financial report for the first six months of the 1998-1999 Fiscal Year, ending December 31, 1998. Mr. Caldwell reported that the Town has been operating under a tighter budget this past year. Mr. Caldwell presented two reports on the breakdown of cash available, comparing individual funds on June 30, 1998, with the cash available in each fund on June 30, 1997. During the previous year, the amount of cash available in all funds

increased by \$692,427. Also included was a report on the breakdown of cash available as of December 31, 1998, as compared with the cash available on December 31, 1997. During the first six months of the 1998-1999 Fiscal Year, there have been some significant expenditures, with the Recreation Center under construction and the installation of the sewer line along Route 19. The cash available in all funds at the end of December, 1998, was only \$1,373 greater than the cash available in all funds on December 31, 1997. During 1998, the Town received federal and state grants totaling over \$550,000, which is money that the Town will not receive in future years. Mr. Caldwell reported that overall the Town is in great financial shape.

Alderman Moore said that Mr. Caldwell should be commended for his good work, along with Town Manager Galloway, Town Staff and the Auditors. No action was necessary.

Budget Changes - Shed at Public Works Facility

Town Manager Galloway said in 1994 the Town constructed an equipment storage shed approximately 50 feet long on the north side of the Public Works Building to store Electric Department equipment. During the 1998-1999 budget, the Electric Department requested \$15,000 to extend the shed on the north side of the building approximately 30 additional feet. Purchasing Agent Ron Gillett began seeking bids for the extension of the shed. Assistant Public Works Director Robert Hyatt and Street Superintendent Wayne Birchfield asked that the cost be determined to extend the shed the full length of the building in order that some of the Street Department's equipment could also be placed under cover and protected from the weather.

Cooper Enterprises, the firm that installed the roof on the Public Works Building this past summer, offered a bid of \$42,661 to extend the shed 106 feet to cover the entire length along the north side of the building. In their proposal to tie the new shed to the existing shed and duplicate the construction, they would also install a 5 foot skirt on the back side of the structure to keep the rain from blowing in onto the equipment. Gutters and down spouts are also included.

Town Manager Galloway said that earlier this fiscal year, a garbage truck and a leaf machine were purchased for the Streets and Sanitation Department. These two purchases came in at \$19,664 under what was in the budget. The Street Department has asked if the Board would allow them to use this money toward the expense of the equipment shed. It is recommended that the \$42,661 be provided as follows:

Street Department	\$19,664
Electric Department	\$22,997 (rather than \$15,000 budgeted)

Alderman Williamson moved, seconded by Alderman Moore, to approve the budget change to extend the shed at the Public Works Facility as recommended. The motion carried unanimously.

Sale of the 1973 Howe Fire Truck

Town Manager Galloway said that the Town purchased a new fire truck which arrived in August, 1998 for \$218,763. This left a 1973 Howe Fire Truck as surplus which should be sold. Normally

the Town gathers vehicles and other items in the spring to sell at a public auction, however it is not felt that the Town would be getting the best price for the truck by including it in the auction. Manager Galloway said that he would recommend that Fire Chief Bill Fowler advertise the sale of the fire truck in the League of Municipalities publication and contact volunteer fire departments in the region to let those persons interested in purchasing the fire truck to submit a bid. After bids are received a report will be presented to the Board seeking their approval to sell the truck to the highest bidder.

Alderman Wiggins moved, seconded by Alderman Moore, to authorize Town Manager Galloway to advertise the 1973 Howe Fire Truck for sale. The motion carried unanimously.

Mr. Ray Fisher - Glendale Drive

Mr. Ray Fisher requested that the Town complete some storm drainage work on Glendale Drive. Manager Galloway said that it was estimated that this work would cost approximately \$7,000 - \$8,000 to complete. Board members asked Town Manager Galloway if the Town could complete this project. Manager Galloway said that it could be if the Board authorized it but another project would need to be postponed until the next fiscal year.

Alderman Williamson moved, seconded by Alderman Moore, to approve the completion of the storm drainage work on Glendale Drive. The motion carried unanimously.

Mr. Ray Fisher - Police Department

Mr. Ray Fisher expressed concern with speeding and break-ins in the Auburn Park area. Mr. Fisher said that he spoke with Captain Blaine Jones who assured him that he would try to have this activity stopped. Mr. Fisher said that the newspaper delivery man was in his neighborhood one morning at about 3:30 a.m., driving by Mr. Fisher's father's home at 800 Woodfield Drive. The newspaper delivery man saw two men standing beside his father's vehicle but the men ran when they saw him. Mr. Fisher said that there have been two people arrested since that time and he hopes they were the ones who were committing the break-ins. Mr. Fisher said that he asked if the Police patrol could be increased, but he has not seen any more police vehicles yet. Town Manager Galloway will investigate the complaint.

Mr. Bryson - Request for Stop Sign or Warning Light at Boyd Avenue/Killian Street Intersection

Mr. Bryson told the Board that there have been several accidents at the Boyd Avenue/Killian Street intersection close to his home. Mr. Bryson said that people speed along this road and run the stop sign. Mr. Bryson asked if the Town could install a new stop sign or some type of warning light to get people's attention and help prevent this from happening. Town Manager Galloway will investigate the complaint.

Adjournment

With no further business, Alderman Williamson moved, seconded by Alderman Caldwell, to adjourn

the meeting at 8:40 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor