

REGULAR MEETING
BOARD OF ALDERMEN
FEBRUARY 9, 1999
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, February 9, 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 Acting Town Attorney Woodrow Griffin. Mayor Foy called the meeting to order at 7:00 p.m.

Approval of Minutes - January 26, 1999

Alderman Williamson moved, seconded by Alderman Caldwell, to approve the minutes of the January 26, 1999 meeting as presented. The motion carried unanimously.

Public Hearings

Town Manager Galloway said that when the cellular tower ordinance was adopted by the Board of Aldermen, it was intended that the placement of Monopole I, Monopole II and Lattice Facilities be allowed as a conditional use on municipal or county owned properties. The following proposed amendments will permit this and they have been reviewed and recommended for approval by the Planning Board.

Amendment to Section 154.209.B - Monopole I Facilities

(B) Conditional Use Permit: Monopole I Facilities may be allowed with a conditional use permit in I-1 zones, and above an elevation of 3,500 feet in the R-1, R-2, R-3, R-4, R-5, T-1, C-2, C-3 and C-4 zones. Also, Monopole I Facilities may be allowed as a conditional use on municipal or county owned properties. Monopole I Facilities are prohibited in the C-1 zone.

Amendment to Section 154.210.C - Monopole II Facilities

(C) Conditional Use Permit: Monopole II Facilities may be allowed with a conditional use permit in the I-1 zone, and above an elevation of 3,500 feet in the R-1, R-2, R-3, R-4, R-5, T-1, C-2, C-3 and C-4 zones. Also, Monopole II Facilities may be allowed as a conditional use on municipal or county owned properties.

Amendment to Section 154.211.C - Lattice Tower Facilities

(C) Conditional Use Permit: Lattice Tower Facilities may be allowed with a conditional use permit in the areas of the R-1, R-2, R-3, R-4, R-5, T-1, C-2, C-3 and C-4 zones which are located above a 3,500 foot elevation. Also Lattice Tower Facilities may be allowed as a conditional use on

municipal or county owned properties.

No one spoke; Attorney Griffin closed the public hearing.

Alderman Williamson moved, seconded by Alderman Moore, to approve the amendments to Sections 154.209.B, 154.210.C and 154.211.C as presented. The motion carried unanimously. (Ord. No. 1-99)

Public Hearing - Proposed Moratorium on Mobile Home Development on Single Lots Inside Waynesville's Corporate Limits

The number of mobile homes has increased in this community as well as in other areas throughout North Carolina. With the cost of a stick built home in the range of \$100 per square foot, many people do not have any other housing alternatives other than a mobile home. The Planning Board has proposed that the Board consider the adoption of some appearance regulations for mobile homes. These appearance regulations are intended to help the mobile homes to fit better in a neighborhood by making the mobile homes more attractive and appearing more similar to typical stick built housing, hopefully making them more acceptable to nearby residents.

Town Manager Galloway said that he has spoken with the Town Attorney and with Chris Sinclair, Assistant Executive Director with the North Carolina Manufactured Housing Institute, and it is their opinion that the proposed moratorium may create a hardship for people who already have a mobile home on order. Manager Galloway said that the Town can recommend appearance standards and that the Manufactured Housing Institute has a book regarding appearance standards. Manager Galloway said that the Town did not want to ban mobile homes, but rather to develop standards to make them “mesh” more in areas with stick built homes.

Attorney Griffin recommended that the public hearing be conducted at this meeting since it was advertised for this time. Attorney Griffin opened the public hearing. The following persons spoke:

David Eavenson, said that he had been a resident of Waynesville for thirty years and he was opposed to the moratorium. He said that there had been study after study conducted, and that the Town had already banned mobile home parks and increased minimum lot sizes from 8,000 square feet to 11,000 square feet in the R-4 zoning districts. Mr. Eavenson said that mobile homes were allowed on single lots in the R-1 and R-4 zoning districts at this time. Mr. Eavenson said that regulations already exist in requiring skirting, etc, and in the flood zone breakaway skirting is required. Mr. Eavenson said that 75% of the people in the Town of Waynesville had incomes under \$30,000; after taxes that amount is reduced to \$25,000, leaving about \$510/month for some families to spend for housing. For these families they had no alternative other than to purchase a mobile home.

Brad Belcher, General Manager of Luv Homes in Waynesville, said that he has been with this company for ten years. Mr. Belcher said that a lot of young people are renting mobile homes now and come to his company for help in purchasing their own mobile home. Mr. Belcher said that mobile homes will never look like houses, but that landscaping can improve their appearance. Mr. Belcher said that it is “all in the eye of the beholder”. Mr. Belcher said that everyone needs a home

and that the moratorium and additional regulations will hurt mobile home dealerships and those people who can't afford a house.

Mayor Henry Foy said that although mobile home parks are no longer allowed in the Town of Waynesville, those persons with large tracts of property are subdividing and placing mobile homes side by side. Mayor Foy said that the Town is not trying to prohibit mobile homes. However, they are concerned with landscaping and attractive placement of mobile homes on property. Mayor Foy said he felt that some appearance standards would help to sell mobile homes.

Ms. Sandy Mehaffey asked if the Board planned to also require landscaping for stick built homes. Ms. Mehaffey said that it would not be fair to make mobile home owners feel like second class citizens. Ms. Mehaffey said that there were already standards and that the mobile home dealers were willing to work with the Town in any way.

Alderman Wiggins moved, seconded by Alderman Caldwell, that the moratorium be tabled until discussed with the Planning Board for further action. The motion carried unanimously.

Proposal for Rest Rooms for Downtown

Mr. Brewster Ward presented two restroom designs for location beside the Waynesville Police and Fire Departments on Main Street in the office formerly occupied by the Building Inspector. The first plan is designed to allow one facility for women and one for men for a total estimated cost of \$38,390. The second plan allows two facilities for women and one for men for a total of \$42,020. Mr. Ward said this will provide public restrooms in downtown which are ADA accessible with a pleasant and hospitable atmosphere. The trees outside the building will remain and benches are proposed outside the restrooms. Town Manager Galloway noted that \$25,000 was budgeted for these renovations and he requested that the Board authorize him to transfer the additional funds needed from the Electric Fund.

Alderman Wiggins moved, seconded by Alderman Williamson, to approve Scheme II, at a cost of \$42,020, and to authorize Town Manager Galloway to transfer additional funds from the Electric Fund for this project. The motion carried unanimously.

Jack Horton, County Manager, Regarding Joint Utility Projects Between the Town and County

Haywood County Manager Jack Horton attended the meeting to discuss three joint projects between the Town and County. These projects include the construction of a sewer line to serve the Agricultural Center and U.S. Route 276, a water line to serve the Francis Farm Road/Palmer Road area and a sewer line along Route 276, near Route 19, to serve Haynes Mobile Home Park. Several weeks ago, Town Manager Galloway submitted a proposal to County Manager Jack Horton, noting at that time a preliminary cost estimate for those three projects to be around \$1,100,000.

Haywood County Manager Jack Horton said that the Town of Waynesville and Haywood County have done several utility projects together in the past, with one of the most recent projects being the

Dellwood Road sewer project which was paid for in part by Appalachian Regional Commission Funds. Manager Horton said that Town Manager Galloway, Town Engineer Fred Baker and he have spoken about three proposed projects that the Town and County could work together to complete.

The first project is the Agricultural Center which was undertaken by the County to try to retain agricultural services in Haywood County. This project is located off Raccoon Road across from the NC State Test Farm. The State gave Haywood County three (3) acres for this project. Originally the plan had on-site septic services, however, when the plan was expanded there was no longer adequate septic drain field. Manager Horton said that there was also a need for sewer services on US 276, extending to the Hawk's Crest Development. There has also been a proposal for a 3 - 5 million dollar Assisted Living Facility which could create as many as fifty jobs in this area. The facility cannot be built without sewer service. Manager Horton said that a \$200,000 grant from Appalachian Regional Commission is available for this project. If the \$200,000 grant can be obtained with an estimated project cost of \$600,000, this leaves \$200,000 for the County's portion and \$200,000 for Waynesville's portion.

The second project is to extend water along Francis Farm Road. This project was partially completed to Blanton Drive. Manager Horton said this project would provide the residents of this area with an alternative water supply, which is important since the Haywood County Landfill was located in this area for years. This project is estimated at \$130,000.

The third project is to extend sewer along Dellwood Road. This project ended up in three phases, from Junaluska to the intersection with 19/276 to Queen's Farm which was in part paid for with a \$200,000 grant from the Appalachian Regional Commission. The other two portions of this project were from Queen's Farm to the top of Dellwood Hill and to the Maple Grove United Methodist Church. In 1995 the portion extending to the Maple Grove United Methodist Church was estimated at approximately \$161,000 and the Town decided not to complete that portion of the project.

Manager Horton said that the Haywood County Commissioners would like to complete all three projects if possible. Once these projects are completed they would be turned over to the Town of Waynesville. The total estimate for all three projects is \$850,000, with a \$200,000 ARC grant and the remainder (\$650,000) split 50/50, this leaves approximately \$325,000 as the County's portion and \$325,000 as the Town's portion.

There was some discussion regarding the cost differences if the sewer line was stopped at Haynes Mobile Home Park and if the sewer line was extended to Maple Grove United Methodist Church. The estimate four years ago for this portion was \$161,000. Manager Galloway said that the Town would have to finance these projects if the Board wished to complete them. Manager Horton said that the County would be financing their portion of the project and may be willing to help with financing the Town's portion also. Mayor Foy suggested an alternate bid for the sewer project from Haynes Mobile Home Park to the Maple Grove United Methodist Church. Bill Noland, representing Maple Grove United Methodist Church, said that the extension of sewer would help the people living in this area. Several people from this area attended the meeting. Mr. Lyn Noland said that in 1994 a meeting was held at the Maple Grove United Methodist Church. At that time the residents attending this meeting felt that the Board of Aldermen promised to extend the sewer lines to the

Church. Crossovers were placed under the road for sewer services, however there was now a question as to whether those crossovers would work.

Alderman Williamson moved, seconded by Alderman Moore, to complete all three projects, with 50% of the project costs funded by Haywood County and 50% funded by the Town of Waynesville. The Town is to administer the Dellwood Road sewer project and Haywood County will administer the other two projects. The motion carried unanimously.

Award of Bid on Garbage Truck

Town Manager Galloway said during the fall, the Town took bids on a new garbage truck for the Sanitation Department and that truck was delivered in November. Sealed bids were submitted with offers for the old 1986 Ford F800 model truck with garbage body as follows:

Hazelwood Trucking Service	\$ 500
Norris Corporation	\$ 985
Carolina Environmental Systems	\$2,500

Alderman Wiggins moved, seconded by Alderman Caldwell, to accept the high bid from Carolina Environmental Systems for the 1986 Ford F800 model truck in the amount of \$2,500. The motion carried unanimously.

Resolution/Agreement with North Carolina Department of Transportation for De-Icing Salt

The Town of Waynesville and the NC Department of Transportation formerly had an agreement in which the Town could secure road de-icing salt from the DOT at the Sylva maintenance facility. The Town reimburses the State for the cost of the salt. The former agreement has expired and needs to be renewed.

Alderman Wiggins moved, seconded by Alderman Williamson, to approve the agreement and resolution with NC Department of Transportation for de-icing salt. The motion carried unanimously. (Cont. No. 4-99/Res. 1-99)

Establishment of Fire District

Town Manager Galloway said that every municipality is required to have a primary fire district with a 200 foot buffer around that district. The Town's Code during the 1960's states that there is a map on file which shows that District, but after searching all possible locations a map has not been located. Town Manager Galloway, along with Planning and Zoning Manager John Swift and Building Inspector Alex Corbin have worked with the Town Attorney in an attempt to delineate what should be the Primary Fire District. The Board reviewed a map which seems to meet the requirements of being the Primary Fire District, which consists mostly of the Central Business District. In addition, the 200 foot buffer zone is included which is also required by State Law.

Town Manager Galloway said that there are restrictions about the type materials which may be used

in construction in the Primary Fire District, since so many of the buildings adjoin and there is the need to decrease the chance of having entire blocks burned out when one building catches on fire. In the buffer zone, there are regulations concerning the materials which may be used, but the Building Official is provided more flexibility in approving construction materials, so the rules are not as stringent.

Alderman Wiggins moved, seconded by Alderman Moore, to adopt the official map establishing the primary fire district for the Town of Waynesville (attached as Exhibit "A"). The motion carried unanimously.

Tax Report - Tax Collector Beverly Guy

A report, prepared by Tax Collector Beverly Guy, was presented to the Board for their information. As of February 5, 1999, 83.19% of the Town's taxes have been collected. Second notice tax statements will be mailed out the first week in March. With the Board's approval, Tax Collector Beverly Guy plans to advertise delinquent taxes during the month of April.

Alderman Caldwell moved, seconded by Alderman Wiggins, to authorize Tax Collector Beverly Guy to advertise delinquent taxes during the month of April. The motion carried unanimously.

Re-appointment of Historic Preservation Commission Members

The terms of two members of the Historic Preservation Commission, Ms. Helen Malina and Mr. Bob Moody, expired on January 31, 1999. Action on this matter was delayed at the last meeting in order to investigate the possibility of the temporary appointment of two (2) members. The temporary members would 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. Since the last meeting it has been determined that temporary members could not be appointed for that purpose.

Since the last meeting it has also been determined that the idea of establishing historic districts has been dismissed. There seems to be more of an interest in establishing an appearance commission, possibly consisting of two representatives from Historic Preservation Commission, two from the Downtown Waynesville area and two at-large members. The voluntary nature of the appearance commission seems to be more acceptable than the mandatory nature of historic districts.

Ms. Helen Malina attended the meeting and spoke to the Board regarding the work done by the Historic Preservation Commission during the past four years. Mayor Foy and the Board of Aldermen expressed appreciation to Ms. Malina and the work of the commission.

Alderman Wiggins moved, seconded by Alderman Caldwell, to reappoint Ms. Helen Malina and Mr. Bob Moody to serve another four (4) year term as members of the Historic Preservation Commission. The motion carried unanimously.

Adjournment

With no further business, Alderman Williamson moved, seconded by Alderman Moore, to adjourn the meeting at 8:30 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor