

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
TOWN HALL
MAY 11, 1999
TUESDAY - 7:00 P.M.

The Board of Aldermen held a regular meeting on Tuesday, May 11, 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 April 13, 1999

Alderman Caldwell moved, seconded by Alderman Moore, to approve the minutes of the April 13, 1999 meeting as presented. The motion carried unanimously. (NOTE: There were no minutes from the April 27, 1999 meeting which was canceled due to the lack of items necessary to conduct the meeting.)

Public Hearing - Amendments to Sections 154.031, 154.033 and 154.034 Adding a "LU-1 - Limited Use District"

With the growth occurring in the Waynesville community, several areas are gradually becoming more commercial in character though they are residentially zoned. Many of the uses permitted in the commercial zones are not compatible with adjacent residential property and have a detrimental impact upon the property values. The Planning Board has reviewed and recommended approval of the following amendments which would add a "LU-1 - Limited Use District". This district would allow some commercial and professional uses which would not be detrimental to the values of adjacent residential properties.

1. Amend Section 154.031 Statement of District Intent by adding the following:

(L) LU-1 Limited Use District. The LU-1 Limited Use District is intended to provide sites for limited, compatible commercial development. Strip commercial and spot commercial development has created a lack of uniformity for some zoning districts in some areas of the Town's land use jurisdiction. The LU-1 District allows the highest and best use of land while following compatibility of development and preserving property values.

2. Amend Section 154.033 Permitted Use Table by adding the following:

The following uses shall be permitted in the LU-1 Limited Use District: Banks or Other Financial Institutions; Beauty Salons; Bed and Breakfast Homes; Business & Special Schools (art, craft, dance, etc.); Doctor's Offices; Government Services (U.S., State and Local); Home Occupations; Insurance Agencies; Libraries; Professional Offices (Attorneys, Accountants, Land Surveyors, Engineers, Architects); Real Estate Offices; Single Family Dwellings.

II Amend Section 154.034 District Dimensional Requirements by adding the following:

LU-1 Limited Use District - All dimensional requirements are the same as in the C-3 zoning district.

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

Alderman Caldwell moved, seconded by Alderman Wiggins, to adopt the proposed amendments as presented. The motion carried unanimously. (Ord. No. 7-99)

Public Hearing - Annexation Petition for Lot #7 of the Allison Subdivision, East Street as Filed by Owner Elizabeth A. Stroupe

At the second meeting in March, the Board received a petition from Ms. Elizabeth A. Stroupe requesting the annexation of Lot #7 of the Allison Subdivision, located on East Street near the intersection of Medford Avenue and East Street. At the first meeting in April Town Clerk Phyllis McClure certified that the petition was sufficient and a public hearing was scheduled for April 27. That meeting was canceled since there were no other issues appearing on the agenda and the public hearing was rescheduled for the meeting of May 11, 1999.

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

Alderman Williamson moved, seconded by Alderman Moore, to annex lot #7 of the Allison Subdivision located on East Street, effective May 11, 1999, as requested by Ms. Elizabeth A. Stroupe. The motion carried unanimously. (Ord. No. 8-99)

Haywood Baptist Association Request for Free Water Tap

A letter was received from Dr. Jack B. Sammons, Director of Missions for the Haywood Baptist Association, requesting a free water tap at the site of the former Camp Schaub 4-H Camp on the Mountain Research Test Farm. The Baptist Association intends to put the camp back into a useable condition and to use it for the benefit of the community. Most of the labor for the renovations of the camp and facilities has been donated by the various churches in the Association.

Alderman Williamson moved, seconded by Alderman Wiggins, to waive the customary water tap fee for the Haywood Baptist Association at the site of the former Camp Schaub 4-H Camp. The motion carried unanimously.

Proposal of the Department of Transportation to Install a Railroad Crossing Signal at Georgia Avenue

Town Manager Galloway explained that the North Carolina Department of Transportation has contacted the Town and offered to install a railroad crossing signal at the Norfolk Southern track on Georgia Avenue, next to the Hazelwood Branch Office. The DOT has conducted a study of the traffic volume at this crossing, and it is well in excess of the amount they require to justify the installation of the signal device.

Under the DOT requirements, if a railroad crossing signal is installed, the municipality must share in 10% of the cost of the project. As the cost is estimated at \$90,000, the Town of Waynesville's share would be \$9,000. In addition, the Town would be required to pay one-half of the annual maintenance cost of the signal. The Town's share of the maintenance cost is estimated at \$1,328.50. Powell Bill funds may be used for this expense. It is recommended by Town Manager Galloway and Town Engineer Fred Baker that this offer from the DOT be accepted, and that the Mayor be authorized to execute the agreement for the crossing signal with the Department of Transportation.

Alderman Moore moved, seconded by Alderman Williamson, to accept the proposal from the North Carolina Department of Transportation and authorize the Mayor to execute the agreement for the crossing signal. The motion carried unanimously. (Cont. No. 8-99)

Distribution of the Proposed 1999-2000 Fiscal Year Budget

Town Manager Galloway and Finance Director Eddie Caldwell presented the proposed budget for the 1999-2000 fiscal year totaling \$18,825,000. Manager Galloway said this budget is increased \$914,000 from last year, with most of the increase being in the General Fund, mainly due to costs associated with the new Recreation Facility. Manager Galloway said that the proposed budget includes a 3¢ tax increase, 2 1/2% cost of living and 2 1/2% merit increase for employees. There was discussion regarding the new Recreation Facility, the Endowment Fund and the Fund Raising Committee currently working to raise funds to be used to furnish the facility. The Board will discuss these issues further at their Budget Workshops.

It was the consensus of the Board to set the date of Tuesday, May 18, 1999, at 4:00 p.m. as a Budget Work Session. This meeting will be held in the Board Room at the Waynesville Town Hall.

Alderman James Williamson - Status of Property on Leatherwood Street

Alderman James Williamson asked about the status of the property on Leatherwood Street belonging to Mr. Angel. Attorney Bonfoey reported that a complaint has been filed and the Attorney for Mr. Angel has been in contact with him. Attorney Bonfoey said that the Town is currently waiting for an answer to be filed. He added that the time for filing has not yet expired and it is possible that Mr. Angel's attorney could request an extension. No action was necessary.

Aldermen James Williamson and Sam Wiggins - Concerns Regarding Ferguson Property in West Waynesville and Welch Property on Dellwood Road

Alderman James Williamson asked about property belonging to Mr. Ferguson located close to Hardee's and Clyde Green's Restaurant in West Waynesville. Alderman Williamson said that the property is being filled in with dirt and debris and he asked if the Town could require that it be smoothed down to help get rid of the dust it is creating.

Alderman Wiggins asked if the Town could control the land disturbing activities on property belonging to Mr. Tim Welch on Dellwood Road near Burger King. Alderman Wiggins said that a trailer had been moved in and the bank remained cut off like it has been for quite some time. Alderman Wiggins asked if the sloping ordinance should be enforced at this location. Alderman Wiggins said that he did not feel that this use was grandfathered in and he did not feel that a permit should have been issued

for a trailer until the property was in compliance. Town Manager Galloway will investigate both complaints.

Mib Medford - Compliments to the Board of Aldermen and the Town's Departments for Work on Church Street

Mib Medford commended the Board of Alderman for taking the steps to initiate work in cleaning up the streets in Waynesville and for proclaiming the week of June 7 - 12, 1999 as "Declare War on Litter Week" in Waynesville.

Mib Medford also commended the Town's employees for the work being done on Church Street. Ms. Medford said that the employees have gone out of their way to try and please everyone and she asked that a "thank you" be passed along to those employees.

Report by Alderman Gary Caldwell - Skateboard Park

Alderman Gary Caldwell reported that he traveled to Brevard with Mayor Foy, Jane Lee, another parent and three children to take a look at Camp Carolina which has a covered skateboard park. Alderman Caldwell said that this skateboard park was located inside a barn which has given him a couple of new ideas for a skateboard park in Waynesville. No action was necessary.

Report by Alderman Sam Wiggins - Update on Declare War on Litter Week - June 7 - 12, 1999

Alderman Sam Wiggins reported that Alderman Kenneth Moore has contacted the North Carolina Department of Corrections and the inmates will be available to work in Waynesville for two weeks beginning June 7. Alderman Wiggins said that he met last week with Town Manager Lee Galloway, Police Officer Iris Davis and Mib Medford. Alderman Wiggins said that each elementary school is distributing pledge sheets for children to take to their parents. The children and parents are to sign the pledge sheets that they will clean up around their homes and streets. Contests will be held within each elementary school for those classes turning in the most pledges. The Enterprise Mountaineer has agreed to run an insert in their newspaper one day this week. The Waynesville Police Auxiliary Group has indicated an interest in coordinating this campaign, distributing safety vests, gloves and assigning various streets to those interested in volunteering their time and effort for clean up. The Town will arrange for town equipment and pickup during that week. The Police Chief is working on a continuing educational program for the school system to include information on litter and recycling. Alderman Wiggins said that he plans to contact Haywood County Manager Jack Horton to request that the Commissioners proclaim the same week as declare war on litter week.

Adjournment

With no further business, Alderman Williamson moved, seconded by Alderman Moore, to adjourn the meeting at 8:05 p.m.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor