

REGULAR MEETING  
BOARD OF ALDERMEN  
TOWN OF WAYNESVILLE  
APRIL 10, 2001  
TUESDAY - 7:00 P.M.  
TOWN HALL

The Board of Aldermen held its regular meeting on Tuesday, April 10, 2001. Members present were Mayor Henry Foy, Aldermen Gavin Brown, Gary Caldwell, Libba Feichter, and Kenneth Moore. Also present were Town Manager A. Lee Galloway, Administrative Assistant Freida Rhinehart and Town Attorney Michael Bonfoey. Mayor Foy called the meeting to order at 7:00 p.m.

Approval of Minutes of March 27, 2001

Alderman Caldwell moved, seconded by Alderman Moore, to approve the minutes of the March 27, 2001 meeting as presented. The motion carried unanimously.

Public Hearing- Amendment to Section 154.121.1 Landscape Ordinance

After months of work and revisions, the Community Appearance Commission and town staff have developed a Landscape Ordinance for consideration by the Board of Aldermen. This ordinance was approved by the Appearance Commission at their meeting on March 19, and by the Planning Board at their meeting of March 19.

Prior to the opening of the public hearing, Mayor Foy expressed appreciation to the Community Appearance Commission for the flowers in the Board Room. He also thanked them for their diligent work on the Landscape Ordinance.

Planner Andrew Powell spoke on behalf of Town Staff. He stated that Town Staff has access to a guide containing various species of trees and shrubs called *Durr's Manual*. This reference material will be used when making decisions about what varieties of trees and shrubs should be used for landscaping. This reference will be used rather than attempting to compose a list of suitable species. Mr. Powell further stated that a landscape ordinance is necessary in order to consider environmental impact, water runoff, and other issues related to growth in our community. The drafted landscape ordinance basically applies to new construction, parking lots, incompatible structures located next to each other, and replacement of trees.

Mayor Foy commented about the number of white pines around town and questioned whether the ordinance placed any restrictions on the growth of these. Mayor Foy asked if requirements might be placed on these trees. Mr. Powell stated that there is not at this time but that a tree ordinance will be added later.

Attorney Bonfoey opened the public hearing. Mr. Ron Muse was the first to speak on behalf of the Homebuilders Association. He stated that the Homebuilders had a time of questions and answers

with Mr. Powell at their last meeting and that the Homebuilders Association is in favor of passage of the ordinance. He feels that the introduction is “somewhat scary” but that with further reading of the ordinance that one becomes more comfortable. He is pleased that site plans can be drawn on a survey by hand and can have changes made by a homeowner if necessary. Mr. Muse expressed appreciation to Town Staff for clarification of the ordinance.

Mary Stewart, also with the Homebuilders Association, stated that she feels that this is a good ordinance. Ms. Stewart is very much in favor of enforcing the ordinance on all new construction. She is pleased that there are exclusions on certain types of construction such as single unit homes. She also agrees with existing canopy preservation—keeping or replacing trees that have to be cut. She would however like to see clarification of the “new construction” issue.

Don Overbay, Chairman of the Community Appearance Commission, explained that the Commission had tried to “cover all the bases.” The Commission’s intent for the ordinance is not to be restrictive of growth but to address the issues of environmental concerns, excessive storm run-off, erosion, and preservation of aesthetic values. The Commission had done a great deal of work on the ordinance and would like to request the Board’s approval.

Attorney Bonfoey closed the public hearing.

Alderman Moore moved, seconded by Alderman Feichter, to approve the ordinance with minor modifications. These are as follows:

- Page 2, Item 2 a. should read “no more than 5%”
- Page 3, Add to the first paragraph of (1) Solid Buffer - The “higher use” property will be responsible for placing the buffer.

Alderman Brown indicated that he felt this to be a “static” ordinance because it assumes a static condition. He suggested the following revisions as well.

- Take out the word “unobstructed” before opening in several places in the document.
- Add “incompatible building barrier” to definitions.

The motion carried unanimously. (Ord. No. 7-01)

Victoria Young - Mountain Dispute Settlement Center - Resolution Regarding Peace Week April 22-29, 2001

Ms. Young thanked the Board for their support on the Mountain Dispute Settlement Center and requested that they support a resolution declaring April 23-29, 2001 as “Peace Week”.

Alderman Brown moved, seconded by Alderman Caldwell, to approve the resolution. The motion carried unanimously. Each Alderman then signed the resolution. (Res. No. 11-01)

### Action on Bids for Landscaping at Recreation Center

Town Manager Lee Galloway explained that there were only two bids received for this work. North Carolina law requires at least three. Ordinarily, we would have to re-advertise and open the bids on April 20, 2001. However, the plants need to go into the ground as soon as possible since it is so late in the planting season. Mr. Galloway has met with Mr. Broadbrooks, the landscape architect, and they have attempted to speed up the process by only landscaping the area immediately around the building and the main island in the parking lot now. This will reduce the cost to less than \$30,000, eliminating the necessity of re-advertising for another formal bid opening. The work can be completed prior to the dedication of the center on May 19. The remainder of the landscaping behind the building and on the east side can be delayed until fall. The proposals on the work to be completed now will be submitted on Thursday, April 12. Therefore, ordering and installing of plants can begin the week of April 16.

### Cancel Meeting of April 24, 2001

The North Carolina League of Municipalities will be meeting April 24 at Waynesville Country Club. The Aldermen, Mayor and Town Manager with the exception of Alderman Caldwell will be attending this meeting.

Alderman Brown moved, seconded by Alderman Feichter to cancel the Board of Aldermen meeting on Tuesday, April 24, 2001. The motion carried unanimously.

### Report by Tax Collector James Robertson on Fees for Privilege License

Town Manager Lee Galloway reported that James Robertson could not be present at the meeting since he is attending Tax Collector's school. Manager Galloway presented Mr. Robertson's report and was complimented him on his research. Mr. Galloway suggested that the Board analyze and evaluate this report, looking toward the next 30 years. At the present business licenses account for only about \$16,000 in income for the Town.

### Approval of Minor Subdivision - Joe Turner- 376 Sunnyside Road

Mr. Joe Turner owns a 7.06 acre lot on Sunnyside Road. He is subdividing the tract to create a two lot subdivision. One lot, the house lot, will be 2.459 acres and the other lot will be 2.458 acres. An area between the two lots, consisting of 2.458 acres, will be reserved for future use.

The lots will be connected to the Town water system and have been successfully "perked" for septic tanks. Town staff recommends approval of the plat.

Alderman Brown stated that this is a family subdivision, no property will be sold, and that it should meet all the requirements of the Town's ordinances. Town Staff has also recommended approval.

Alderman Moore moved, seconded by Alderman Brown to approve the minor subdivision. The motion carried unanimously.

Proclamation of National Day of Prayer on May 3, 2001

The Mayor stated that he will sign a Proclamation of a National Day of Prayer on May 3, 2001.

Aldermen Participation in Town Clean Up Project

The Aldermen will participate in the Town clean-up effort on Friday April 20, at 2:00 p.m.

Waynesville Country Club Sidewalk

Mayor Foy wished to bring it to the Board's attention that he plans to ask Ken Liner about the figures for installation of the sidewalk and storm drainage at Waynesville Country. The Mayor would like for the Town to bear the expense of the construction of the sidewalk since Waynesville Country Club is so vital to the Town's economy.

Adjournment

With no further business, Alderman Moore moved, seconded by Alderman Caldwell to adjourn the meeting at 8:15 p.m. The motion carried unanimously.

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Freida F. Rhinehart  
Administrative Assistant

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Henry B. Foy  
Mayor