

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
OCTOBER 9, 2001
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, October 9, 2001. Members present were Mayor Henry Foy, Aldermen Gary Caldwell, Libba Feichter and Kenneth Moore. Also present were Town Manager A. Lee Galloway, Town Clerk Phyllis McClure and Attorney Michael Bonfoey. Mayor Foy called the meeting to order at 7:00 p.m.

Approval of Minutes of September 11, 2001

Alderman Caldwell moved, seconded by Alderman Feichter, to approve the minutes of the September 11, 2001 meeting as presented. The motion carried unanimously.

Public Hearing - Local Landmark Designation - Rotha House - 185 Pigeon Street

Harry and Sandra Dennard are the owners of the house at 185 Pigeon Street, known as the "Rotha House". The house is located on a .892 acre tract of land situated on the north side of Pigeon Street at the intersection with Short Street.

The Rotha House is a two-story Queen Anne style dwelling built by Captain Alden Howell in 1903. Harry and Georgia Rotha were the first occupants of the house in which they raised seven children. Mr. Rotha was a widely respected forestry expert for the Champion Paper Company, and he died in 1945. Ms. Rotha lived for several more years, and upon her death, the home was sold in 1954.

Upon their review, the Historic Preservation Commission determined that the Rotha House possesses special significance in terms of its history, architecture and cultural importance. They have recommended that the property be granted the Local Landmark Designation, as requested by the owners, Harry and Sandra Dennard. Mr. Dennard attended the meeting in case he was needed to answer questions. The Mayor and Board of Aldermen commended Mr. and Mrs. Dennard for their efforts in seeking designation of this house as a local historic landmark.

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

Alderman Brown moved, seconded by Alderman Moore, to adopt an ordinance designating the "Rotha House" as a local historic landmark. The motion carried unanimously. (Ord. No. 26-01)

Ordinance to Demolish the Property Located on Dogwood Trail

For several months, Code Enforcement Officer Jack Morgan has been involved in the procedure for attempting to bring a house on Dogwood Trail into compliance with the Town's housing code. The structure was a summer home at some point but has long been abandoned and fallen into a severe state of disrepair. Attempts have been made to contact the listed owner, George R. Slaton, III, in Fort Lauderdale, Florida, but he has not responded to the contacts by Mr. Morgan. The required hearings have been held, and no one attended the hearings to contest the evidence from Mr. Morgan. Mr. Morgan subsequently gave the owner notice to remove or repair the structure, and it has not been removed or repaired.

Alderman Feichter moved, seconded by Alderman Moore, to adopt an ordinance directing the building inspector to remove or demolish the property located on Dogwood Trail (PIN #8615-08-3256). The motion carried unanimously. (Ord. No. 27-01)

Request by Downtown Waynesville Association to Close Main Street on December 8, 2001

The Downtown Waynesville Association has asked that the Town Board agree to close Main Street between Pigeon Street and Depot Street on Saturday, December 8, 2001, for a promotional event. The event is called "It's A Wonderful Night", which is being promoted throughout the region. This is also the fund raiser by KARE, when the organization sells luminaries to be placed along the edges of the streets for viewing. There will also be a number of singing groups and/or choirs during the evening. The DWA would like to close Main Street between the hours of 5:00 and 10:00 p.m., with all parking removed during that time.

Alderman Moore moved, seconded by Alderman Caldwell, to close Main Street, between Pigeon Street and Depot Street between the hours of 5:00 p.m. and 10:00 p.m. on Saturday, December 8, 2001. The motion carried unanimously.

Request by Carol James for Street Closing on Commerce Street - October 20, 2001

The Historic Frog Level Merchants Association is sponsoring a festival in the Frog Level community for Saturday, October 20, 2001. This event is in conjunction with the Apple Festival. They anticipate having cloggers, dancers, arts and craft demonstrations and other activities. Ms. James, Chairman of the Association, attended the meeting and requested that the northern portion of Commerce Street be closed between the hours of 8:00 a.m. and 6:00 p.m. on October 20.

Ms. James said that her husband, Ronnie James, former Mayor of Waynesville was meeting with Norfolk Southern Representative Jim Bowman in Raleigh today. For the past several years there has been hope that the railway would resume in Waynesville. Board Members commended Ms. James for all the efforts to revitalize the Frog Level area. They were very complimentary of the work being done by Ms. Carolyn Clayton on her building and the recent successful event held in Frog Level.

Alderman Caldwell moved, seconded by Alderman Feichter, to close the northern portion of Commerce Street as requested between the hours of 8:00 a.m. and 6:00 p.m. on Saturday, October

20, 2001. The motion carried unanimously.

Annual Report by Tax Collector James Robertson

The laws of North Carolina require that the elected officials provide the Tax Collector with authorization to use all legal means available to collect the unpaid taxes due the unit of government. During the 2000-2001 fiscal year, Tax Collector James Robertson made excellent headway in the collection of unpaid taxes, and he has sharply reduced the outstanding balances in that account. He is to be commended for his efforts and for the additional revenues he has produced for the Town.

It is requested that the Mayor and Alderman adopt documents authorizing the Tax Collector to use all available, legal means in collecting the unpaid property taxes due the Town of Waynesville.

Town Manager Galloway commended Tax Collector James Robertson by reducing the amount of back taxes by 16%. Manager Galloway added that Mr. Robertson has done a fantastic job and has made the Finance Department and Town Manager's jobs easier. Mr. Robertson expressed appreciation to Town Manager Galloway and the Board for their support in the tax collection efforts. Mr. Robertson added that the Town has good employees in the Finance Department who collect this money and the higher collection rate has been part of a group effort.

Alderman Caldwell moved, seconded by Alderman Moore, to authorize Tax Collector James Robertson to use all available, legal means in collecting the unpaid property taxes due the Town of Waynesville. The motion carried unanimously.

Alderman Caldwell moved, seconded by Alderman Moore, to authorize Haywood County Attorney Chip Killian to represent the Town's interest at the bankruptcy hearing regarding Enterprize Park. The motion carried unanimously.

Reappointment of Dr. George Brown to the Waynesville Housing Authority

Mayor Foy announced that he has reappointed Dr. George Brown to serve another five-year term on the Waynesville Housing Authority. This term will expire on September 30, 2006. No action was necessary.

Comments Regarding Speed Limit Violation Issues on Allens Creek and Pigeon Street

Mayor Foy said he has received several complaints and concerns regarding traffic on Allens Creek Road and Pigeon Street in Waynesville. Both of these streets belong to the NC Department of Transportation and have set speed limits. Manager Galloway said that the Police Department has used the speed board in both areas and has issued speeding tickets to violators. The speed board was vandalized while in the Allens Creek area and complaints were received that the Police Department was harassing the people in the Allens Creek area while it was being used. Alderman Moore said he would like to see the sidewalk extended along Allens Creek Road since so many people walk in this area.

Philan Medford said she recently attended a presentation by Dan Burden which showed that some streets have to be physically altered in order to solve speeding problems. Carol James said she has a book regarding highway design if the Board would like to review it. Mayor Foy said the NC Department of Transportation will be holding TIP meetings later in the month of October. This may be a good time to bring up the issue of speed limit violations and sidewalks.

Minor Subdivision - Emil Massaro

Town Manager Galloway said that Emil Massaro has requested the subdivision of two lots on Begonia Drive in the corporate limits of Waynesville. It is zoned R-1, and it meets all zoning and subdivision regulations. Town staff recommends approval.

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

Closed Session to Discuss Legal Matter

Alderman Moore moved, seconded by Alderman Caldwell, to adjourn to closed session at 7:40 p.m. Alderman Feichter moved, seconded by Alderman Moore, to return to regular session at 9:05 p.m. Both motions carried unanimously.

Letter to Haywood County Commissioners Regarding Location of Courthouse Facilities

It was the consensus of the Board to instruct Town Manager Galloway to send a letter to the Haywood County Commissioners seeking a joint meeting to discuss the Haywood County Courthouse and the recent decision of the Commissioners to relocate the facilities to the former site of the A. C. Lawrence Leather Company located off Hazelwood Avenue in the Hazelwood area.

Adjournment

With no further business, Alderman Brown moved, seconded by Alderman Moore, to adjourn the meeting at 9:07 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor