

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
DECEMBER 11, 2001
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, December 11, 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, 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 November 13, 2001

Alderman Caldwell moved, seconded by Alderman Moore, to approve the minutes of the November 13, 2001 meeting as presented. The motion carried unanimously.

Appointments to Board of Adjustment and Planning Board

Four vacancies exist on the Board of Adjustment and Planning Board. Several names were suggested to the Board for possible appointments.

Alderman Brown moved, seconded by Alderman Feichter, to appoint the following members:

Board of Adjustment

Appoint Frank Childers to fill the unexpired term of Joan Lesueur which expires May 31, 2004.

To recommend to the Haywood County Board of Commissioners the appointment of Garnell Day as a regular county appointment to fill the unexpired term of York Painter which expires May 31, 2003.

To recommend to the Haywood County Board of Commissioners the appointment of Jane Holland as an alternate county appointment to fill the vacancy which term expires May 31, 2002. This position has been vacant for several years.

Planning Board

Alderman Brown moved, seconded by Alderman Moore, to recommend to the Haywood County Board of Commissioners the appointment of Penny Morse as a county appointment to the Planning Board to fill the unexpired term of Robert Moody which expires May 31, 2003.

Both motions carried unanimously.

Appraisal Report - Property Located at 50 Little Cove Road

Mr. Carroll Mease, Main Street Realty, has completed an appraisal of the property the Town owns at 50 Little Cove Road. The Town purchased 14.748 acres and retained a 8.468 acre tract on the south side of the road for use in constructing the Chlorine Contact Tank. That left a 6.280 acre tract with a house and some out buildings on the north side of Little Cove Road which is surplus property.

In the October Board meeting, Town Manager Galloway was authorized to have the 6.280 acre tract appraised with the intention of then placing it on the market for sale. Mr. Mease's appraisal has estimated the value of the property to be \$141,156. Manager Galloway said that the property could be handled as a "For Sale by Owner" transaction, and that there is a special real estate form for this type of sale. It was suggested that the Town determine a price for the house and land and then arrive at a percentage of the sales price which will be paid to any realtor who might sell the property. A notice could be sent to all realty firms that the Town has the property for sale and indicate that the Town will pay a percentage to the realtor who brings in the successful buyer. A copy of the statute would also be sent regarding the "upset bid process" required to be followed by North Carolina State Law.

Alderman Brown said it is customary for realtors to receive 10% for improved property and 6% for unimproved property. Town Manager Galloway will send notices to realtors informing them that the property is listed for sale, along with a copy of the State Law regarding the bid process.

Alderman Brown moved, seconded by Alderman Feichter, to proceed with advertising the property for sale for the appraisal price of \$141,156, and to authorize payment of 6% of the sales price to any realtor who successfully sells the property. The motion carried unanimously.

Region A - Rural Transportation Planning Organization

Information was distributed about the designation of Region A as a Rural Transportation Planning Organization (RPO). The Department of Transportation is ready to designate the first of seven RPOs in the state, and Region A is to be among these. In order for Region A to be designated, a Memorandum of Understanding has to be entered, and DOT has asked that the municipalities as well as the counties in the region sign the Memorandum.

The Southwestern Commission will receive approximately \$100,000 in State funding to implement the RPT, and it will give the rural areas the same opportunities for input and coordination with the DOT that urban communities have through their Metropolitan Transportation Planning Organizations.

Alderman Feichter moved, seconded by Alderman Moore, to authorize Mayor Foy to enter into a Memorandum of Understanding for Region A to be designated as a Rural Transportation Planning Organizations in the State of North Carolina. The motion carried unanimously. (Cont. No. 19-01)

Report of Speed Limits and Traffic Safety Dellwood Road - Russ Avenue to Depot Street

At the meeting of November 13, the Board approved some speed limit changes in the Frog Level area. At that time, it was noted that the posted speeds in some areas in close proximity to Frog Level should be evaluated. The Board asked that the Police Department conduct an assessment of the speed limit posted on Dellwood Road between Russ Avenue and Depot Street. While they were looking at the particular section of street, they decided to evaluate the speeds on Water Street, Boundary Street and Miller Street as well.

The Police Department has recommended that the speed limit on Water and Boundary Streets remain at the posted 20 miles per hour. They noted that at present, there is not a posted speed limit on Miller Street, and they recommended that the speed limit on Miller Street be set at 20 miles per hour. Finally, on Dellwood Road, they recommended that the speed limit be reduced from 35 miles per hour to 30 miles per hour.

In discussing the Dellwood Road situation with Chief Hollingsed, it was concluded that some signage might be added along that street, near Greystone Automotive, to indicate "Curve Ahead" and "Reduce Speed Ahead". It is felt that this might help those approaching the curve on Dellwood Road at Chestnut Park Drive to reduce speed in a timely manner.

Alderman Moore moved, seconded by Alderman Feichter, to adopt an ordinance to set the speed limit on Water Street, Boundary Street, Miller Street and Dellwood Road at 20 miles per hour and to set the speed limit on Dellwood Road (between Russ Avenue and Depot Street) at 30 miles per hour. The motion carried unanimously. (Ord. No. 30-01)

Audit Report for 2000-2001 Fiscal Year

The firm of Ray, Bumgarner, Kingshill and Associates has completed the audit of the Town's financial records for the fiscal year ending June 30, 2001. Mr. Bruce Kingshill and staff member Nancy Degler attended the meeting to present the report and comment on the results. Mr. Kingshill said their firm does not look at every transaction but the major programs are chosen for review since the Town receives Federal and State grants. During the audit process accounting practices are reviewed and audit adjustments are proposed.

Mr. Kingshill said in the General Fund revenues increased \$1,056,000, with an increase in ad valorem tax, recreation department, sales tax, miscellaneous income, franchise tax and commercial sanitation. Expenditures also went up which includes salaries and benefits.

Town Manager Galloway said that the Town's Department Heads have done a wonderful job with trimming their expenditures.

Under the Capital Project Funds, the Recreation Department project should be closed out by spring. Landscaping is being done now. Several factors during the year such as replacement of the flooring in the Recreation Center and the September 11 Terrorist Attacks on the United States kept the number of visitors down at the Center. Board Members felt that additional time was needed before they could determine the usage of the Recreation Center to consider changes in the fees.

Alderman Brown was concerned that the revenues in electricity were not going up. Finance Officer Caldwell explained that although the Town has some high usage customers, some of this usage occurs during CP&L's peak times and that electricity is more expensive. Town Manager Galloway said that some peak saving methods are being considered in renegotiating the contract with CP&L for 2004. Mayor Foy added that he spoke with a representative of the Town of Kings Mountain regarding their savings by using their own generators during peak periods.

The Water fund stayed about the same. Revenues were up in the sewer fund, mainly due to the rate increase.

Mr. Kingshill said this year had the highest rate of taxes collected in the past four to five years. Although the Town has no control over the collection of motor vehicle taxes, there was still a 95% collection rate. In conclusion Mr. Kingshill said the Town is in excellent financial shape.

Finance Officer Caldwell said the Town has 41.25% designated for their unappropriated fund balance. This is about 6% higher than the State average which is 35.61%.

Manager Galloway thanked Mr. Kingshill for their work, adding that it is good to have someone who has worked on the audit for the past several years who felt comfortable with discussing issues with town staff. Manager Galloway commended the Town's staff, saying overall they were the finest staff he has worked with, and when asked to "tighten up" with their budgets they did. He also commended Finance Officer Eddie Caldwell and his staff and the support given by the Board of Aldermen.

Finance Officer Eddie Caldwell presented a breakdown of the cash available as of June 1, 2001.

The Board thanked Mr. Kingshill and Mr. Caldwell for their presentations. No action was necessary.

Annexations - Clerk to Investigate Sufficiency of Petitions

Over the past few years, the Town has received a number of annexation petitions from property owners along the U.S. Route 19 corridor, Russ Avenue and along the Asheville Road. These have come in as a result of the desire of those property owners to connect to the Town's sewer lines. A list of property owners for voluntary annexation of twenty-three properties was presented to the Board. The Town is in the process of securing information from the Lake Junaluska Fire Department which is needed to determine the amount the Town might have to pay that department if those properties become part of the Waynesville Fire District.

Alderman Moore moved, seconded by Alderman Brown, to instruct Town Clerk Phyllis McClure to investigate the sufficiency of the petitions. The motion carried unanimously. (Res. No. 23-01)

Cancel Board Meeting of December 25, 2001

As the second meeting for the Board for the month of December falls on Christmas Day, it is recommended that the meeting be canceled.

Town offices will be closed on Monday, December 24 and Tuesday, December 25 for Christmas Eve and Christmas Day. Town offices will also be closed on Tuesday, January 1, 2002 for New Years.

Alderman Moore moved, seconded by Alderman Caldwell, to cancel the Board Meeting scheduled for December 25, 2001. The motion carried unanimously.

Discussion Regarding Board of Aldermen's Tour of Facilities

It was the consensus of the Board to schedule a tour of the Town's facilities sometime during the first week in January, 2002. Town Manager Galloway will arrange for this tour.

Citizen Request to Reconsider Hanging of Banners in Frog Level

Ron Fleenor attended the meeting to request that the Town reconsider hanging banners in the Frog Level area. Downtown Waynesville Association gave banners which they no longer used to the Frog Level Committee. They requested that the Town hang these banners in Frog Level. However, due to time constraints and safety issues from hanging the banners on the wooden poles in this area, the Frog Level merchants were told that they could hang the banners on their buildings rather than the poles. Mr. Fleenor presented a picture of one of the Christmas tree decorations which was hung on one of the wooden poles. He explained that the banners were being altered so they would be shorter and would not create a clearance problem if hung on the utility poles.

Mr. Fleenor said Frog Level is the first area in the Town which is on the study list for the historic registry and he appreciated anything the Town could do to help the area.

Introduction of Mountaineer Reporter

Mayor Foy introduced Mason Adams, a new reporter with the Enterprise Mountaineer who will now be covering the meetings of the Town of Waynesville.

Closed Session

Alderman Moore moved, seconded by Alderman Feichter to adjourn to closed session at 8:44 p.m. Alderman Moore moved, seconded by Alderman Feichter, to return to open session at 10:25 p.m. Both motions carried unanimously.

Haywood County Courthouse Facility Parking and Zoning Amendment Proposal

Alderman Brown moved, seconded by Alderman Moore, that in light of the Haywood County Commissioners' strong interest in locating the Justice Facility downtown, the Board directed the Town Manager to discuss the solution of parking problems that might arise with the new facility which is mutually beneficial to both parties. The motion carried unanimously.

Alderman Brown moved, seconded by Alderman Feichter, to direct the Town Attorney and Planning

Department to investigate rewriting the Zoning Ordinance to permit detention facilities and emergency services as a conditional use in the I-1 and I-2 zones. The motion carried unanimously.

Adjournment

With no further business, Alderman Brown moved, seconded by Alderman Moore, to adjourn the meeting at 10:27 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor