

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
APRIL 23, 2002
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, April 23, 2002. Members present were Mayor Henry Foy, Aldermen Gavin Brown, Gary Caldwell, Kenneth Moore and Libba Feichter. Also present were Town Manager A. Lee Galloway, Town Clerk Phyllis McClure, Town Attorney Michael Bonfoey and Intern Josh Ray. Mayor Henry Foy called the meeting to order at 7:00 p.m.

Approval of Minutes of April 9, 2002

Alderman Brown moved, seconded by Alderman Caldwell, to approve the minutes of the April 9, 2002 meeting as presented. The motion carried unanimously.

Thanks to Mib Medford

Mayor Foy expressed appreciation to Mib Medford for providing flower arrangements for the Board's table at the meeting.

Public Hearing - Zoning Ordinance Amendment - Section 154.033

A request was received from Mr. Tim Welch for an amendment to the Zoning Ordinance to allow hospitals, doctors' offices and medical offices in I-1, Heavy Commercial Districts. Mr. Welch indicates that two doctors want to construct office buildings of about 1,200 square feet on property which is now zoned I-1, but it is not permitted under the Town's existing ordinances. The Planning Board, at their meeting on March 25, 2002, recommended approval of this amendment.

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

Alderman Brown moved, seconded by Alderman Moore, to amend Section 154.033 as recommended. The motion carried unanimously. (Ord. No. 4-02)

Public Hearing - Land Use Plan

This public hearing was scheduled to give the public an opportunity to comment on the final draft of the Land Use Plan. Julie Cogburn, a representative of Benchmark, gave an overview of the Land Use Plan. Ms. Cogburn said a lot of people have given a considerable amount of time and dedication in the development of this plan, which reflects the input from the community and those persons involved in the process. This plan looks twenty years into the future.

About two years ago, the Board of Aldermen recognized that the Town was experiencing growth issues and were hearing from the State that when grants were awarded it was becoming a requirement that local governments have a land use plan in place. A steering committee was established, comprised of individuals with various areas of expertise.

The plan contains 5 major components: 1) introduction and overview, 2) broad analysis of issues facing the community and a vision for the future, 3) technical information, 4) goals, objectives and action agendas, and 5) the intended course of policy actions. There are 5 categories of goals and objectives: land use, housing, transportation, public utilities, recreation and cultural resources, natural resources and economic vitality. Maps were created to be used as guides and tools to see how the community should develop.

Attorney Bonfoey opened the public hearing. The following persons spoke:

Attorney Jack Kersten said he was proud of the Town for developing this land use plan, adding that it is a “great step forward for the Town”. Attorney Kersten asked that Map 15, Area 4 (Pioneer Feed and Seed) be amended to show that the area is mixed use low to medium density.

Philan Medford, 99 Pisgah Drive, thanked the Board for allowing input from the public in the development of this land use plan. Ms. Medford said the most significant part of this development process has been the interactive process used. She supported the fact that Chapter 1 contains the 10 Smart Growth Principals. Ms. Medford also mentioned that the work plan refines and defines the means to obtain the objectives and the Board is responsible for these two parts of the plan. The plan represents a consensus by both the community and those responsible for development of the plan.

John Swift, Zoning Director for the Town of Waynesville, thanked the Mayor, Board of Aldermen and Town Manager for having the foresight to allow this Land Use Plan to be done. Mr. Swift also thanked Benchmark Consultants for all their work, the Phase I Steering Committee and everyone else who has worked on this plan.

Attorney Bonfoey closed the public hearing.

Alderman Brown pointed out that on November 23, 1999, the Board of Aldermen asked John Swift to investigate the Town doing a Land Use Plan at the request of Attorney Jack Kersten.

Alderman Moore moved, seconded by Alderman Feichter, to adopt Phase I of the Land Use Plan, with the amendment to Map 15, Area 4 to show the area of Pioneer Feed and Seed as being mixed use low to medium density, as requested by Attorney Jack Kersten. The motion carried unanimously.

Endorsement of Pigeon River Watershed Action Plan - Gordon Small

Gordon Small, Haywood Waterways Manager, attended the meeting and gave a power point presentation regarding the Pigeon River Watershed Action Plan. This is an effort to protect the integrity of the watershed of the Pigeon River through encouraging erosion controls. It was

requested that the Board adopt a resolution endorsing this plan.

Haywood Waterways Director Ron Moser, thanked the Board for their support. Mr. Moser explained some of the activities and publications of the Haywood Waterways.

Mayor Foy said Haywood County is fortunate to have men such as Gordon Small and Ron Moser involved in the conservation of our natural water resources.

Alderman Caldwell moved, seconded by Alderman Moore, to adopt a resolution endorsing the Pigeon River Watershed Action Plan. The motion carried unanimously. (Res. No. 6-02)

Approval for Extension of Water Line From System Serving Barber's Orchard to the Rest Area Owned and Operated by the NC DOT on the Smoky Mountain Expressway

Approximately one year ago, the Board approved an agreement between the Town and Haywood County regarding the extension of a water line between Hyatt Creek Road and Barbers Orchard to serve an area which had experienced contaminated water. The County worked hard to secure several grants which will be used to pay the cost of installing this system. Under the terms of the agreement, Haywood County would own the system and the Town of Waynesville would handle its operation. The Town would read meters, bill customers, respond to complaints and provide maintenance of the system. The Town would bill based upon a specified rate schedule, withhold revenues to cover the Town's charges and then send the County the balance.

The new water line will extend to within a few hundred feet of the Rest Area owned and operated by the North Carolina Department of Transportation. With a public water system so close, the DOT has expressed an interest in being connected to the system. The DOT approached Haywood County on the matter, offering to pay the entire cost of running the line from near Red Bank Road to the Rest Area. Under the terms of the agreement, any extension of the system may only be made with the written approval of the Town of Waynesville.

Manager Galloway said this has been discussed among Town Staff and with the engineers on this project and any operational problems the extension would cause to the remaining system could not be identified. It is recommended that Contract 4-01 be amended to approve the extension of the water line to serve the DOT rest area on the Great Smoky Mountain Expressway.

Alderman Moore asked who would be responsible for the upkeep of the line. Manager Galloway said the Town would maintain the system, bill customers and collect those charges. Haywood County would own the line. Alderman Brown felt that the installation of this line would be against the Land Use Plan's Urban Services District. Alderman Brown said he voted against the extension of the line to Barber's Orchard and he would vote against this additional extension. He added that the extension of this line will promote urban sprawl and the ramifications are not good.

Manager Galloway said one of the discussions the Town has had in the past was that there were a lot of customers in this area who wanted to connect to the Town's water.

Alderman Caldwell moved, seconded by Alderman Feichter, to amend Contract 4-01 to approve the extension of the water line to serve the DOT rest area on the Great Smoky Mountain Expressway. The motion carried with four (4) ayes (Caldwell, Feichter, Foy, Moore) and one (1) nay (Brown).

Ron Fleenor - Proposal for Traffic Light in Frog Level

Ron Fleenor requested to be on the agenda to present a proposal for the traffic light replacement at Depot and Commerce Streets. Mr. Fleenor spoke on behalf of the Historic Preservation Commission and the Frog Level Association (since Carol James could not be present at the meeting). Mr. Fleenor asked if the NCDOT's Thoroughfare Plan would be redrawn or if there were still plans to construct a road behind Giles Chemical.

Mr. Fleenor presented a plan regarding the proposed traffic light at the intersection of Depot Street and Commerce Street. He did not want to see a new traffic light installed which would allow the right-hand turn from Depot to Commerce and then have to be removed if Frog Level becomes a historic district. He said they realize that the traffic light is old and needs to be replaced, but there is opposition to the way the traffic signals were going to work. Carol James asked Mr. Fleenor to recommend that a task force be set up (to include DWA, Town, Chamber of Commerce and Historic Preservation Commission) to look at this area. No action was taken.

Report Regarding Little Cove Road Property

At the April 9, 2002 meeting, the Board passed a resolution in which the Board indicated its intention to accept a bid of \$85,000 on the 6.280 acre tract of land and house the Town owns at 50 Little Cove Road. The Town Clerk then placed an advertisement in the newspaper and mailed letters to persons expressing interest in the property and real estate agencies in the area, advising the public that the bid was under consideration and giving others the opportunity to offer an upset bid on the property. If the successful bidder is represented by a real estate agent, the real estate agent will receive 6% of the bid amount. Under North Carolina General Statutes, the public has ten days following the newspaper advertisement in which to submit a qualifying upset bid, and that period ran through Monday, April 22. No upset bids have been received.

Alderman Caldwell moved, seconded by Alderman Moore, to accept the \$85,000 bid from Stephen Swanger and Ashley Cunningham for the 6.280 acre tract of land and house located at 50 Little Cove Road. The motion carried unanimously.

Jean Knight - Lack of Sidewalk Handicapped Access Cuts on Hazelwood Avenue

Jean Knight asked to speak to the Board about the lack of handicapped cuts in the sidewalk along Hazelwood Avenue to Main Street in Waynesville and the poor condition of the sidewalk in the Hazelwood area. Manager Galloway said he has looked at this area and there are several handicapped cuts in the sidewalk. No action was taken.

Completion of New Playground

Mayor Foy said approximately 1,700 people volunteered their time and accomplished an amazing feat at the Recreation Park in constructing a new playground in just a matter of days. Larry Leatherwood was recognized for putting this project together and collecting money toward this effort. Alderman Feichter commended the Town Staff for their assistance, adding that they came when needed and made everyone's jobs easier. Danny Wingate with Haywood Builders donated a lot of material used in the playground. Everyone involved handled their jobs with great dignity and this new playground is something the Town can be very proud of.

Lease with Norfolk Southern for Parking in Frog Level Area

Manager Galloway said a lease has been received from Norfolk Southern to allow the Town to use property (approximately .55 acre) for parking in the Frog Level Area. Manager Galloway said some of the language will need to be changed and it is hoped that this can be discussed further at the next meeting. No action was taken.

Adjournment

With no further business, Alderman Brown moved, seconded by Alderman Caldwell to adjourn the meeting at 8:47 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor