

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
OCTOBER 8, 2002
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, October 8, 2002. 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, Public Works Director Fred Baker, Finance Officer Eddie Caldwell and Town Attorney Michael Bonfoey. Mayor Foy called the meeting to order at 7:00 p.m.

Approval of Minutes of September 24, 2002

Alderman Feichter moved, seconded by Alderman Caldwell, to approve the minutes of the September 24, 2002 meeting as presented. The motion carried unanimously.

Annual Report by Tax Collector James Robertson

In compliance with State Law, Tax Collector James Robertson presented the annual report regarding tax collections. Mr. Robertson said the real estate tax collection rate is up slightly from the previous year (95.36% to 95.46%). Haywood County collects motor vehicle taxes for the Town. The tax collection rate for motor vehicles is 85.78%, which decreases the total tax collection percentage to 93.88%. Manager Galloway said Haywood County has increased their collection rate for motor vehicle taxes during the past couple of years, mainly because of the extra efforts being made by Haywood County Tax Collector David Francis. Progress continues to be made in the collection of back taxes, and the write-offs for uncollected taxes for this year were down \$10,000. Mr. Robertson pointed out that if the taxes could be collected for the former Dayco property, the total real estate tax collection rate could increase to 97 - 98%.

Mr. Robertson said tax bills are normally mailed around September 1. However, since Haywood County had their revaluation this year, information has not yet been received for tax billings. He hopes to have this information by the end of this week or first of next week.

Alderman Feichter thanked Mr. Robertson for the job he does and the pride he takes in his job, adding that this shows in his efforts and the Board appreciates this. Mr. Robertson expressed appreciation to the Board for their continued support and said he was doing what he could to make the Town a better place.

Alderman Brown moved, seconded by Alderman Moore, to approve the annual tax report as presented by Tax Collector James Robertson and to authorize him to collect the unpaid taxes due the Town of Waynesville using all legal means available to do so. The motion carried unanimously.

Minor Subdivision Plat - Smoky Mountain Retreat Investments - Lot #88

Smoky Mountain Retreat Investments is subdividing a 7+ acre lot on Woody Lane to create a new 1.458 acre lot. The property is zoned "R-1" Low Density Residential District and the proposed lot will be served by public water and a private septic system. The lot meets or exceeds Town standards and Town Staff recommends approval of the plat.

Alderman Caldwell moved, seconded by Alderman Feichter, to approve the minor subdivision plat for Smoky Mountain Retreat Investments for lot #88 as presented. The motion carried unanimously.

Request by Frog Level Association to Speak Regarding Traffic Issues at Depot Street/Commerce Street Intersection

Approximately six people attended the meeting from the Frog Level Association to discuss issues in the Frog Level area.

Carol James, President of the Frog Level Association, said she became aware that the Town planned to proceed with the installation of a traffic light at a meeting on March 7. At that time there was considerable opposition to this plan. She also learned that the turn lane would be reinstalled from Depot Street to Commerce Street which would eliminate several parking spaces along Depot Street. Ms. James said the Association realizes that the light needs to be replaced, however, they do not feel that the turn lane should be reinstalled because it will only increase traffic. When the turn lane was there previously, there were several accidents and large trucks turning onto Commerce Street from Depot Street hit the side of the building at Waynesville Supply. The main concern of the Association is traffic calming and safety issues rather than the types of vehicles using the street.

Ms. James thanked the Board for allowing Dan Burden to visit the Frog Level area. Mr. Burden's comments were included in her memo to the Board. Ms. James felt that the Town may be moving ahead prematurely with the proposed upgrades and that those plans do not incorporate Dan Burden's recommendations nor the Town's Land Use Planning. Ms. James asked that the Town provide information to the Association regarding the Frog Level area, including the current town transportation plan and both the original and final plans on the Depot Street intersection.

Ms. James said she met with Town representatives in August about moving a utility pole and asked about the status of this request. She asked that the Town work with the Association to help provide pedestrian safety, access for vehicles of all types and to calm traffic. She also asked that the Town suspend any action on this intersection in order for the Association to have an opportunity to look at what was given to the engineer so they could have a better understanding of what is proposed. Once this information is reviewed she asked that the Association be able to meet with the Town again to come up with a plan which is appropriate for the community.

Jim Pierce, owner of Panacea Coffee House and Café on Commerce Street, said almost daily he hears the comment "I almost got run over today crossing the street to get to your business". Mr. Pierce asked that the board consider two main issues for this area 1) traffic calming and pedestrian safety.

Jack Wadham said he was in Waynesville before the turn lane from Depot Street to Commerce Street was removed and he has seen numerous accidents because large trucks can't turn from the right lane on Depot Street onto Commerce Street. The main problem in this area is in the mornings when parents are taking their children to school. Mr. Wadham felt that a motion censored light would be a mistake because traffic would not be able to get through after the ballgames. Mr. Wadham asked the Board to look at this area before taking any action. If the parking on Depot Street is removed, Mr. Wadham said he will only have one parking space for his business. The seven parking spaces across the street also benefit other businesses and the upstairs apartments. Mr. Wadham expressed his appreciation for the Board's thoughts and support in not approving the proposed traffic light.

Alderman Moore felt that Mr. Wadham has a valid point regarding the right turn from Depot Street to Commerce Street. Public Works Director Fred Baker said it is easier to include the right turn lane and remove it later if there are problems rather than not to include it and have to add it later.

Alderman Feichter said she would not consider parallel parking on Depot Street in one of the parking spaces scheduled to be removed. She asked if it would be possible to prohibit trucks from turning right from Depot to Commerce similar to the intersection of Hazelwood Avenue and South Main Street.

Alderman Brown pointed out that several issues have been discussed. However, the item for the Board to consider is the installation of the traffic light and the other issues will be resolved later. The traffic light and other issues such as parking, safety and pedestrians are in conflict with each other.

Manager Galloway said the traffic light is not a traffic calming device. The Town has plans for other traffic calming devices. When the Town hired Kimmley Horne it was their recommendation that the Town put the turn lane back in from Depot to Commerce Street. After the Town met with the Frog Level Association in March, those comments were returned to Kimmley Horne and his suggestion at that time was that once the Town resolved the issue of the parking lot the turn lane should be reinstalled. Manager Galloway said the purchase order for the traffic light was issued in July, 2002.

Public Works Director Fred Baker said the plan calls for crosswalks at the alleyway and streetscape improvements are needed. The traffic light was scheduled to be completed last year. Mr. Baker said the Town has two different plans from Kimmley Horne and three different conceptual plans on the streetscape. Manager Galloway added that one of those plans includes the right turn lane and the other does not.

There was discussion regarding the right turn lane from Commerce to Depot Street. Right turns on red are not allowed and only about four vehicles can stack in the right turn lane when the light is red. Manager Galloway said it may be possible to install parking spaces where the right turn lane is now located or possibly some green space as a traffic calming device which would also shorten the length that a pedestrian would need in order to cross the street.

Carol James asked the Board to take their recommendations into consideration, especially since they

live and work in the Frog Level area and have more involvement than anyone else. Ms. James also expressed appreciation to the Board for keeping communications open and expressed the desire that this continue. Ms. James said the Association is planning a block party November 9 & 10 to clean up the area and make some improvements, especially in the alleyway beside Dewey Stovall's building.

Mayor Foy said the Town began working on the Frog Level area approximately 10 years ago and it was difficult then. There has been progress with the railroad since that time and the Town now has an agreement for the parking lot on their property.

It was the consensus of the Board that the installation of the traffic light at the Depot Street/Commerce Street intersection will continue as planned and will include the right turn lane from Depot to Commerce Street. If this does not work as planned the right turn lane can later be eliminated. Solutions for the other problems regarding traffic calming and pedestrian safety have not yet been resolved. Manager Galloway added that the Town has \$50,000 in Powell Bill monies designated for the Frog Level area and money is also allocated for other improvements in this area.

Closed Session to Discuss Contract Regarding Wholesale Power Agreement

Alderman Brown said this closed session is allowed under NC General Statutes 159B-38.

Alderman Brown moved, seconded by Alderman Moore, to adjourn to closed session at 8:10 p.m.

Alderman Moore moved, seconded by Alderman Brown, to return to regular session at 9:40 p.m. Both motions carried unanimously.

Mayor Foy explained that no action would be taken as a result of the closed session; however, he noted that a Special Board Meeting might be held on Tuesday, October 15, 2002, subject to resolving the final details of the power supply agreement.

Adjournment

With no further business, Alderman Brown moved, seconded by Alderman Moore, to adjourn the meeting at 9:41 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor