

SPECIAL MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
OCTOBER 7, 2003
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a special meeting on Tuesday, October 7, 2003. 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, Finance Officer Eddie Caldwell and Town Attorney Woodrow Griffin. Mayor Foy called the meeting to order at 7:00 p.m.

Approval of Minutes of September 16, 2003

Alderman Caldwell moved, seconded by Alderman Feichter, to approve the minutes of the September 16, 2003 meeting as presented. The motion carried unanimously.

Presentation of Certificate of Frog Level's National Historic Designation

The Certificate of Entry in the National Register of Historic Places was listed for the Frog Level Historic District in Waynesville on August 28, 2003 by the N. C. Department of Cultural Resources State Historic Preservation Office. Mr. John Horton attended the meeting to present the National Historic Designation Certificate to the Frog Level area property owners who were invited to attend the meeting.

Mr. Horton said Frog Level is an important area, both as an economic center for the Town and visitors as well. After the railroad came to Waynesville, the development of the Frog Level area took off, since this was the first stopping place when people came into Waynesville. The historic district consists of a five-acre area, consisting of sixteen contributing buildings, a bridge, and three non-contributing buildings. The non-contributing buildings were of the same time period but have been heavily altered through the years.

Mr. Horton said the Frog Level area has a high degree of integrity. The buildings remained the same as they had been for years until recently when some were revitalized. The area meets both the architectural and historic significance. Mr. Horton presented the framed certificate to Ms. Carol James who owns the Mill Race Mercantile along with her husband Ronnie James.

Mayor Foy, on behalf of the Board extended congratulations to the Frog Level property owners for this historic designation. Mayor Foy said the Board looks forward to the continued revitalization of the Frog Level area.

Ronnie James thanked the Board of Aldermen for all their support of the Frog Level area and their

help in obtaining the historic designation.

Public Hearing - Rezoning Request by David McClure - 1318 Sulphur Springs Road SS-NC to HTC

Mr. David McClure, 61 Eagle Nest Road, owns a 1.85 acre tract of land at 1318 Sulphur Springs Road. During the recent development of the Land Use Plan, the McClure tract was included with the Sulphur Springs Neighborhood Center District. Mr. McClure was not aware that his property had been placed in the Sulphur Springs District, limiting the commercial uses of the property.

According to Planning and Zoning Manager John Swift, when the lines were originally drawn up for the newly adopted Land Use Development Standards, the McClure tract and an adjoining lot were inadvertently included in the Sulphur Springs Neighborhood District rather than the Hazelwood Town Center with which it should have been included.

At the meeting of the Planning Board, it was recommended that both tracts be changed from the Sulphur Springs District to the Hazelwood Town Center.

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

Alderman Moore moved, seconded by Alderman Caldwell, to adopt an ordinance amending the zoning ordinance by changing the zoning district for the two parcels on Sulphur Springs Road from Sulphur Springs Neighborhood District (SS-ND) to the Hazelwood Town Center (HTC). The motion carried unanimously. (Ord. No. 25-03)

Public Hearing on Amendment to Add Definition of “Golf Courses and Country Clubs”

When the Land Use Development Standards were approved, it was known that there would be situations where errors had been made and/or specific items had been overlooked. It was recently discovered that one of the things that was omitted in those standards was the definition of Country Club and Golf Courses.

The Planning Board voted unanimously to recommend that the definition be changed and added to the Land Use Development Standards so that those items which had been omitted will be included. Their recommended definition is as follows:

Golf Courses and Country Clubs - An establishment primarily engaged in operating golf courses (except miniature), along with dining facilities and other recreational facilities. These establishments often provide beverage services, equipment and rental services, recreation instructional services and guest accommodations (hotels, motels, inns).

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

Alderman Brown moved, seconded by Alderman Feichter, to adopt an ordinance to amend the Land

Use Development Standards by adding the definitions of “Golf Courses and Country Clubs” as presented. The motion carried unanimously. (Ord. No. 26-03)

Carol James - Presentation of Request Regarding Lease of Market Property in Frog Level

Carol James, President of the Frog Level Merchants Association, said the historic designation of the Frog Level area was felt to be important to its revitalization and will benefit all of Waynesville. The Merchants are now beginning to look at other things to improve the area, including a trolley. Ms. James presented a proposal to relocate the Farmer’s Market from the present location on Main Street to a site in Frog Level. Ms. James said the Merchants have worked with Giles Chemical on the development of this market on the west side of Richland Creek. Giles Chemical has agreed to lease the property for this purpose, but the Frog Level Merchants would like the Town to enter the lease and bear the liability for any injuries or damages which may occur on the property. Giles Chemical has agreed to lease the property for \$1/year for a five-year period. A draft lease has been prepared but details will need to be worked out.

Ms. James said Giles Chemical has approximately five and one-half acres which are located in the floodway. Approximately two acres would be available for the market and parking. Since the property is located in the floodway, a study is needed which will cost approximately \$4,300. A grant application is being reviewed by Advantage West to fund this study. However, a letter is needed from the Town regarding its intention to extend liability insurance to cover the area. Access to this property is behind the Mill Race Mercantile onto Chestnut Park Drive. Ms. James said there may be issues regarding access from Chestnut Park Drive onto Dellwood Road. Construction of a foot bridge is planned across the creek.

Ms. James said someone has offered to grade the property at no cost. The area would also need to be graveled, fencing installed and restrooms and running water added. Plans are to have the market ready by the end of April, 2004. Ms. James said she has spoken with all the market participants as well as others who do not participate at the present time because of various reasons such as problems associated with paved surfaces damaging plants during hot weather.

There was discussion regarding providing liability insurance coverage. Alderman Brown asked about the possibility of the Town providing a grant for the Frog Level Merchants to cover the costs of liability insurance coverage.

Alderman Brown moved, seconded by Alderman Feichter, to endorse the proposal for a public market in Frog Level and to investigate the intent of providing liability insurance coverage for either the Frog Level Merchants or the Town. The motion carried unanimously.

Alderman Feichter said the Frog Level and Hazelwood areas are good examples of what can happen when good people get together and make things happen.

Municipal Agreement With the North Carolina Department of Transportation Regarding the Inspection of Bridges

For many years, the federal government, through the North Carolina Department of Transportation, has offered a program for the inspection of bridges on a municipal street system. Under this agreement, the State contracts with a private engineering firm to make an annual visit to each community, inspect the condition of the bridges for which the municipality is responsible and provide the community with a written report on the status of the bridge and any needed corrections and/or improvements.

Each bridge is assigned a total number of points on a 100-point scale, and this rating system is used when we approach the DOT seeking the addition of a bridge to the list of those bridges to be replaced on the Transportation Improvement Plan.

Manager Galloway said Waynesville does not have the engineering expertise to conduct the type study provided with these funds, and it is felt best to select a firm which specializes in bridge inspections. In addition, one of the features of this program is that 80% of the costs are reimbursed by the federal government through the State and Waynesville pays 20% of the cost of the study. It is recommended that the Board authorize the agreement with the N. C. Department of Transportation for the inspection of municipal bridges.

Alderman Brown moved, seconded by Alderman Moore, to authorize Mayor Foy to enter into the agreement with the N. C. Department of Transportation for the inspection of municipal bridges. The motion carried unanimously. (Cont. No. 8-03) (Res. No. 20-03)

Request for Separate Checking Account for 2002 Tax Overcharge Refunds

Finance Director Eddie Caldwell reported that the Town has contacted a third party regarding refunding checks for taxpayers who were overcharged on their 2002 taxes due to an error made by Haywood County in property valuations. This is the same vendor used by Haywood County. An additional \$3,500 was added to tax bills (\$2,000 for septic tanks and \$1,500 for wells). Most of the properties inside Waynesville's corporate limits are connected to public water and sewer systems and the overtaxed amount will need to be refunded. Mr. Caldwell said for security reasons, the Town would like to establish a separate checking account for the issuance of these checks and the refunds would total an estimated \$36,000. \$15.05 will be the average amount of most of these checks for properties taxed the extra \$3,500. This amount was removed from the 2003 tax bills.

Alderman Brown moved, seconded by Alderman Feichter, to approve the establishment of a new checking account. The motion carried unanimously. (Res. No. 19-03)

Reappointment of Members to the Parks and Recreation Advisory Commission

The three-year terms of Don Frady, Kitty Eaker and Rhonda Schandavel on the Parks and Recreation Advisory Commission expired on September 30, 2003. All three individuals have been contacted, and each expressed desire to remain on this Commission.

Alderman Moore moved, seconded by Alderman Caldwell, to reappoint Don Frady, Kitty Eaker and Rhonda Schandavel to the Parks and Recreation Advisory Commission. Their three year terms will

expire September 30, 2006. The motion carried unanimously.

Reappointment of Members of the Waynesville Housing Authority

The five-year term of Hilliard L. Gibbs on the Waynesville Housing Authority expired on September 1, 2003. Ms. Edith Allen was serving the unexpired term of the late Ms. Catharyn Lenoir, whose term would have expired on October 31, 2003. Both of these individuals have been contacted, and each agreed to continue service on the Authority. Under North Carolina General Statutes, this is an appointment that is to be made by the Mayor.

Mayor Foy announced that he has reappointed Hilliard L. Gibbs and Edith Allen to serve a five-year term on the Waynesville Housing Authority.

In reviewing the list of Housing Authority members, it was noted that the expiration dates of the six members vary as shown:

| | |
|---------------------|--------------------|
| Hilliard L. Gibbs | September 1, 2003 |
| Edith Allen | October 31, 2003 |
| Harry McCracken | September 30, 2004 |
| James R. Edwards | October 31, 2005 |
| Dr. George W. Brown | September 30, 2006 |
| Evelyn Powell | October 31, 2006 |

To make it easier to track these expiration dates, it is suggested that all be the same day of the month. It is recommended that terms be given expiration dates of September 30 on the appropriate year as follows:

| | |
|---------------------|--------------------|
| Hilliard L. Gibbs | September 30, 2008 |
| Edith Allen | September 30, 2008 |
| Harry McCracken | September 30, 2004 |
| James R. Edwards | September 30, 2005 |
| Dr. George W. Brown | September 30, 2006 |
| Evelyn Powell | September 30, 2006 |

Alderman Feichter moved, seconded by Alderman Caldwell, to change the expiration dates of the Waynesville Housing Authority terms as recommended. The motion carried unanimously.

Mib Medford - Comments Regarding Recycling

Mib Medford said each year she asks Town Clerk Phyllis McClure to provide copies of a news release containing information on leaf pickup. She distributes this information to residents in Waynesville. Ms. Medford said Haywood County is continuing to recycling as in the past and she is also handing out information regarding recycling.

Discussion of Contribution From the Town to the Economic Development Commission

Town Manager Galloway said the Haywood County Board of Commissioners created a process under which the economic development activities were analyzed by several separate subcommittees. As a result, the structure of the Economic Development Commission (EDC) was changed by the County Commissioners. The panel now includes representatives from each of the four towns in the County, two representatives from Haywood County and three from various other sectors. Alderman Gavin Brown agreed to represent the Town of the Waynesville on the EDC and was recently elected as Co-Chairman along with County Commissioner Mark Swanger.

One of the conclusions of the special subcommittee which worked on the analysis of economic development activities was that the EDC was not being funded to the degree needed. Former EDC Director Jay Hinson had made the same observation, noting that it is harder to compete with other counties and areas which are funded much more heavily.

In recent months there has been some discussion that if the Towns were to have a bigger role in Economic Development, there would likely be a request that the Towns provide financial support toward the work of the Commission. Alderman Brown has asked that a discussion of this matter be placed on the Board's agenda.

Alderman Brown said the Economic Development Commission has been revamped and it was felt that the Towns should be more involved with the EDC. Alderman Brown was chosen to represent the Town of Waynesville and one of their jobs was to look for ways to help provide funding for the EDC. He felt that it was important for Waynesville to lead the way by contributing \$15,000 specifically for the Director's salary. It is felt that by increasing the Director's salary, the position will be more viable and attractive for the right person for this position. Each community in Haywood County could contribute a portion which is fair for them. At the present time the EDC Director's salary is \$45,000 and it is felt that a salary of \$60,000 would be much more appropriate for this position.

Alderman Brown noted that such a contribution would be evaluated each year at the time the Town's budget is prepared. Alderman Brown said private enterprises as well as public enterprises would be approached for contributions. Mayor Foy pointed out that money should also be included in EDC's budget for advertising purposes.

Alderman Feichter moved, seconded by Alderman Moore, to contribute \$15,000 as a line item expense to Haywood County for the Economic Development Commission Director's salary for the remainder of this fiscal year. The motion carried unanimously.

Relocation of Electric Lines in the Hazelwood Area

Alderman Caldwell said recently when he was in Hazelwood John Burgin asked him about the status of the landscaping in the parking lot at Hazelwood and the relocation of electric lines. Manager Galloway said the Town had several other projects which needed to be finished before continuing the parking lot landscaping and there have been some delays with the relocation of the electric lines

by Progress Energy. One of the delays involves the need to cross the Haywood Vocational property. No action was needed.

Discussion Regarding Dogs

Alderman Moore expressed concern about dangerous animals inside Waynesville. This past weekend there was news of two separate attacks by Pit Bull Dogs in the Western North Carolina area. Alderman Moore said these attacks involved children and he personally knew one of these children and their family. The child will have to undergo several surgeries because of the injuries to his face. Other concerns included owners allowing their dogs to run loose on other people's property and whether there is anything the Town can do to stop this. Alderman Feichter said she has done a lot of volunteer work at the Haywood County Animal Shelter. Most of the Pitt Bulls at the shelter are not allowed to be adopted. It was suggested that maybe a heavier penalty could keep people from allowing their dogs to run loose and lessen the chances of attacks by dogs.

It was the consensus of the Board that Town Manager Galloway write a letter to Haywood County Manager Jack Horton regarding the Board's concerns.

Adjournment

With no further business, Alderman Brown moved, seconded by Alderman Moore, to adjourn the meeting at 8:12 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor