

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
JANUARY 13, 2004
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, January 13, 2004. 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, Town Planner Paul Benson and Town Attorney Woodrow Griffin. Mayor Foy called the meeting to order at 7:00 p.m.

Approval of Minutes of December 9, 2003

Alderman Caldwell moved, seconded by Alderman Moore, to approve the minutes of the December 9, 2003 meeting as presented. The motion carried unanimously.

Offer to Purchase Town Owned Lot in Shingle Cove Area

At the meeting of November 25, 2003, Mr. Bill Messer, on behalf of LMK Real Estate, expressed an interest in purchasing a lot from the Town in the Shingle Cove Area.

In the late 1980's or early 1990's, the Town purchased a tract of land in the Shingle Cove area for a new, two million gallon water tank. In doing so, the Town created a subdivision containing restrictions, with one of the lots containing the new water tank and the other lots being available for development.

LMK Real Estate Co., LLC, owns a tract of land adjacent to the Town property. They wish to develop their tract, and in order to carry out their plans in the manner they desire, they would like to purchase the tract presently owned by the Town (lot #1). They have submitted a bid of \$8,000 for this lot.

At the November 25 meeting the Board indicated their willingness to accept the offer from LMK Real Estate Co., LLC. An announcement must be placed in the newspaper advising the public of the Board's intentions and giving any other interested person the right to submit an upset bid within ten days from the day the notice appears in the newspaper. No upset bids have been received.

Mayor Foy said according to Public Works Director Fred Baker, the Town needs a 45' right-of-way across the property in order to build a road in the future if needed. Mr. Messer said he did not have a problem with establishing the 45' right-of-way.

Alderman Brown said he would need to recuse himself from voting on this issue since Mr. Messer

is one of his clients.

Alderman Moore moved, seconded by Alderman Caldwell, to approve the sale of Lot #1 to LMK Real Estate Co., LLC, in the amount of \$8,000 subject to the establishment of a 45' right-of-way as discussed. The motion carried with four (4) ayes and one (1) abstention (Alderman Brown). The motion carried unanimously.

Follow Up On Annexation Report - Asheville Road Area

At the meeting of December 9, a preliminary annexation report was presented for areas along the Asheville Road. The staff of the Planning Department prepared a report in which they divided the area abutting the Asheville Road into four sections. A rough estimate of revenues which would be derived from each area, as well as a rough estimate of the expenses to provide municipal services to each of the four areas was provided. Town Manager Galloway asked the Board to review this report before the January 2004 meeting. The Planning Department was then asked to prepare a report on the steps and a potential schedule for annexing this area.

Planner Paul Benson attended the meeting to explain the annexation process and answer any questions. Mr. Benson said there are certain steps and dates the Town will need to follow. Generally Towns look at an effective annexation date of June 30 for tax purposes, allowing a full year of taxes rather than a pro-rated amount. A resolution of intent sets the date for a public hearing. Mr. Benson said if the Board sets a public hearing date for the first of June this would allow sufficient time for the town staff to complete their work, estimating costs for extending services to those areas considered for annexation and preparing a report for the Board. Mr. Benson said he would recommend a slower annexation schedule with an effective annexation date of June 30, 2005. This would allow Town Staff adequate time to determine the costs involved and to establish a description needed for the resolution of intent.

Alderman Brown moved, seconded by Alderman Feichter, to direct Town Staff to proceed with the process of preparing an annexation report and establishing a description of the Phase I area (Ratcliffe Cove). The motion carried unanimously.

Accept Dedication of Street - Larchwood Point at Laurel Ridge

Manager Galloway said work has been underway on development of a street named Larchwood Point in the Laurel Ridge area. This street leads off of High Ridge Road near its intersection with Rocky Knob. The street has been built to Town standards and Public Works Director Fred Baker has inspected the street and recommends that the Town accept the dedication of the street to the Town. Manager Galloway said two letters were received from property owners along this street requesting that the Town accept dedication of the street.

Alderman Feichter moved, seconded by Alderman Caldwell, to accept dedication of Larchwood Point at Laurel Ridge. The motion carried unanimously.

Award of Paving Bids

On December 17, 2003, the Town accepted bids on providing asphalt, binder and seal coating of streets for the 2004 calendar year. Three bids were submitted for the work as follows:

<u>Company</u>	<u>Bid Amount</u>	<u>Bid Bond</u>
WNC Paving	\$176,010	Yes
APAC - Carolina	\$225,360	Yes
Custom Paving	\$195,144	No

WNC Paving submitted the low bid of \$176,010. They have performed paving work for the Town in a more than satisfactory manner in the past, and it has been recommended by Town Staff that the bid be awarded to WNC Paving in the amount of \$176,010.

Alderman Moore moved, seconded by Alderman Feichter, to award the paving bid to WNC Paving in the amount of \$176,010. The motion carried unanimously.

Regulation of Robinson Street Parking

In recent weeks, the Town has encountered problems with getting garbage trucks down Robinson Street and making a turn onto Terrell Street due to the manner in which vehicles are parked along the street. The department consulted with the Police Department, seeking their assistance in resolving this problem.

A report was submitted by Police Chief Bill Hollingsed and he has suggested that parking be restricted between 7:00 a.m. and 4:00 p.m. Monday through Friday, along the north side of Robinson Street between its intersection with Avalon Court and continuing in a westerly direction to the dead end of Robinson Street. This would allow trucks to make the necessary turn onto Terrell Street.

Alderman Brown moved, seconded by Alderman Moore, to adopt an ordinance regulating the parking on Robinson Street as recommended by the Waynesville Police Department. The motion carried unanimously. (Ord. No. 1-04)

Resolution Regarding Haywood Greenway Council

The Haywood County Board of Commissioners has agreed to fund a position to coordinate and manage the various greenways and greenway projects in the county. A meeting was held a few months ago when this was presented, and Alderman Gary Caldwell attended that meeting. It has been requested that each municipal government adopt a resolution in support of these efforts and to establish the Haywood Greenway Council.

Alderman Feichter moved, seconded by Alderman Moore, to adopt the resolution in support of establishing the Haywood Greenway Council. The motion carried unanimously. (Res. No. 1-04)

Report by Town Manager

Appointment of Alderman Libba Feichter

Manager Galloway reported that Alderman Libba Feichter has been appointed to serve as Vice-Chairman of the Transportation, Communications and Public Safety Committee for the North Carolina League of Municipalities. The Mayor for the City of Tryon serves as Chairman for this Committee.

Annual Retreat

Manager Galloway will see if the facilitator from Region A will be available on March 19, 2004. One of the items to be discussed will be the facilities study for the Town. Manager Galloway said he is in the process of reviewing studies from the Towns of Hamlet and Newton and will have information available at the retreat.

Martin Luther King, Jr., Breakfast

Mayor Foy said the annual Martin Luther King, Jr., Breakfast is scheduled for Saturday, January 31, 2004. He plans to attend the breakfast, along with some of the other Board Members.

Adjournment

With no further business, Alderman Brown moved, seconded by Alderman Moore, to adjourn the meeting at 7:48 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor