

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
AUGUST 10, 2004
TUESDAY - 7:00 P.M.
TOWN HALL

The Board of Aldermen held a regular meeting on Tuesday, August 10, 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, Tax Collector James Robertson and Town Attorney Woodrow Griffin. Mayor Foy called the meeting to order at 7:00 p.m.

Approval of Minutes of July 13, 2004

Alderman Caldwell moved, seconded by Alderman Moore, to approve the minutes of the July 13, 2004 meeting as presented. The motion carried unanimously.

Town of Waynesville Code of Ordinances

Copies of the newly recodified Code of Ordinances for the Town of Waynesville were distributed to Board Members at the last meeting. Action was delayed to adopt and enact the Code in order to allow additional time to review the document. This Code incorporates all those ordinances adopted by the Board other than ordinances included in the Land Development Standards.

Alderman Moore moved, seconded by Alderman Brown, to adopt the ordinance adopting and enacting the Town of Waynesville Code of Ordinances. The motion carried unanimously. (Ord. No. 24-04)

Report on Annexation Petitions

Town Clerk Phyllis McClure reported that she has investigated the sufficiency of four voluntary petitions for annexation and found them to be in compliance with State Law. The properties involved are as follows:

Voluntary Contiguous Annexation Petitions

- A) 1360 and 1336 Asheville Road - Louise Nelson
- B) Allens Creek Road - 8 acres - Judy Lanning Johnson and Michael B. Johnson

Voluntary Non Contiguous Annexation Petitions

- C) 1520 Asheville Road - Haywood County Farm Bureau

D) Intersection of Woodsedge and Business 23 - 5.8 acres - Bartholomew

Alderman Brown moved, seconded by Alderman Feichter to schedule a public hearing for the two contiguous annexation petitions. The motion carried unanimously. (Res. No. 11-04)

Alderman Brown moved, seconded by Alderman Feichter to schedule a public hearing for the two non contiguous annexation petitions. The motion carried unanimously. (Res. No. 12-04)

Easement for Utilities Located off Pigeon Street

At the last meeting a public hearing was held regarding a request to close the unopened alley located off Pigeon Street. It was the consensus of the Board to delay action pending the development of a specific description on the easement.

Alderman Brown moved, seconded by Alderman Moore, to close the unopened alley located off Pigeon Street, subject to the Town maintaining an easement for utilities within the same area which existed for the unopened alley. This utility easement shall not interfere with existing structures on the property. The motion carried unanimously. (Ord. No. 25-04)

Reappointment of Alcoholic Beverage Control Board Member

Earl Clark was appointed to fill the unexpired term of Arthur Paul Evans. This term is now up for renewal and Mr. Clark has expressed an interest in being reappointed. This is a three-year term which will expire August 15, 2007.

Alderman Moore moved, seconded by Alderman Caldwell, to reappoint Earl Clark to serve a three-year term on the Alcoholic Beverage Control Board. This term will expire August 15, 2007. The motion carried unanimously.

Tax Settlement - Report by Tax Collector James Robertson

Tax Collector James Robertson presented an annual report giving an account of the tax amounts which were billed and collected, including the unpaid amounts as of June 30, 2004.

As part of his report, he requested that the Board allow him to move forward in billing the new tax year for 2004. It is also requested that he be directed to collect all taxes using whatever authority is legally given to the tax collector to see that those taxes are paid and to authorize him to direct executions against personal property for taxes to the Sheriff of Haywood County if necessary.

According to the report, the tax collection rate increased to 97.08%, .49% over the previous year. This figure includes real estate and personal property only. This marks the 4th year in a row that the collection rate has increased. Information for motor vehicle taxes has not yet been received and will be presented to the Board at a later time.

Tax Collector Robertson thanked the Mayor, Board of Aldermen and Town Manager for their

support in collecting taxes. Mr. Robertson also said that this would not be possible without the Finance Department Staff. He said this support makes his job much easier.

Town Manager Galloway said when Tax Collector James Robertson took over tax collections four years ago the outstanding uncollected taxes totaled \$391,000. This amount has been reduced to \$160,000. Manager Galloway commended James Robertson and his staff for this accomplishment. He said it makes the job of coming up with a budget much easier.

Alderman Brown added that the high collection rate is also a reflection of the community. The community knows that taxes are a “necessary evil” and pay their share.

Alderman Brown moved, seconded by Alderman Feichter, to authorize Tax Collector James Robertson to proceed with billing 2004 real estate taxes and to have the enforcement powers under G.S. 105-375. The motion carried unanimously.

Request for Release of Taxes - Tax Collector James Robertson

Tax Collector James Robertson reported that Mr. Robert Miller was billed under two different account numbers for the same personal property. He has paid the taxes on both accounts and it is requested that a refund be made in the amount of \$258.95.

Alderman Feichter moved, seconded by Alderman Moore, to approve the release of taxes for Mr. Robert Miller in the amount of \$258.95. The motion carried unanimously.

Presentation of Plans for Carolyn’s Point

For several years improvements have been needed for “Carolyn’s Point”, the area at the intersection of Wall Street and North Main Street. The Master Gardeners have presented a plan which includes a one way turn lane from Main Street to Wall Street, brick sidewalks, a circle seating area to replace the fountain and landscaping. Alderman Feichter said she would like to see the addition of a drinking fountain.

Alderman Brown moved, seconded by Alderman Brown, to endorse Plan “A” with the addition of a drinking fountain if appropriate, and to express appreciation to the Master Gardeners and Philan Medford for their work on this plan. The motion carried unanimously.

Appointment to Haywood County Recreation Advisory Board

In June 2002 the Board of Aldermen recommended the appointment of Terry Tolle to the Haywood County Recreation Advisory Board and this appointment was made by the Haywood County Board of Commissioners as recommended. Mr. Tolle’s term on this board will expire August 31, 2004 and he does not wish to be reappointed.

Claire Stewart, Haywood County Recreation and Parks Director indicated that she would forward any applications received by the Haywood County Manager’s Office to the Town for consideration.

So far none have been received by the Town. Alderman Brown said there was one person he felt may be interested but he would need to contact them to confirm their interest. It was the consensus of the Board Members that Alderman Brown contact this individual to serve on the Haywood County Recreation Advisory Board.

Charles Miller - Comments on Watershed Conservation Easement

Charles Miller, 727 Allens Creek Road, said he has been studying a book about environmental quality and is under the impression that if Waynesville received any Federal Grant monies they would be required to have an environmental impact study to show what types of rare or endangered species could be located on the watershed property.

Roscoe Wells - Workshop Regarding the Historic Courthouse and Light Pollution

Roscoe Wells, 85 East Marshall Street, said there will be a workshop immediately after the August 16 meeting of the Haywood County Board of Commissioners regarding the Historic Haywood County Courthouse renovations.

Mr. Wells said the Town's existing street lighting may be in conflict with the Land Use Lighting Standards. He said he can stand on his front porch and read his newspaper at night because the existing street lights are lighting the neighborhood and not the street, adding that Progress Energy uses the same type lighting. He said light pollution is offensive if you want to look at the stars.

Schedule Meeting to Visit Watershed Property

There was discussion regarding a meeting for the Board Members to visit the watershed property. Manager Galloway said before the meeting is scheduled protocol needs to be established. A sign-in should be offered in advance in order to schedule transportation for those persons interested in visiting the watershed property. Manager Galloway said access by numerous vehicles would be difficult. Up to the first creek crossing at the head of the lake, most vehicles can use the road. Beyond that point, a 4-wheel drive is needed. He suggested that people park at the dam and walk into the watershed. Mayor Foy said he wanted the Board to be fully informed and involved.

Manager Galloway suggested that the Board plan a tour of the Cowetta Hydrologic Laboratories in Macon County. Timbering has been done, roads have been cut and comparisons have been made in order to perfect the timbering process and prevent erosion. It was the consensus of the Board to schedule this meeting for Thursday, August 19 or another Thursday later in the month during the morning.

Speed Limit Study

Manager Galloway said the Police Department conducted a speed limit study on all the streets in Waynesville. This study revealed that some of the speed limits are posted and ordinances to support the reduced speed limits cannot be found. Town Clerk Phyllis McClure is in the process of making some comparisons to make sure that all streets are correctly marked with the correct speed limit. Any additions or corrections will be presented to the Board at a later meeting.

Questions From Alderman Moore Regarding Brush Pick up Policy and Clean Up Issues

Alderman Moore asked what was involved in the brush pick up policy adopted by the Town. Manager Galloway said the ordinance is designed to allow thirty minutes for pick up of brush which is generated by the property owner, not tree companies. These companies should dispose of brush upon completion of their work.

Alderman Moore asked what progress has been made in clean up issues within the Town. Manager Galloway said some progress has been made. Manager Galloway added that this department has been very busy during the past several months. More than \$9,000 in building permits have been issued each month for the past three months. Alderman Moore asked if the Town should consider hiring an additional person just to handle the clean up issues. Manager Galloway said if the former Dayco property is developed it is felt that some of the clean up issues will take care of themselves.

Question From Mayor Foy Regarding Underground Electric in Hazelwood Area

Mayor Foy asked about options for relocating electric lines underground in the Hazelwood Avenue area. Manager Galloway said the route selected by Progress Energy ran upon an uncooperative property owner. There may be another route for them to use; however, the cost may be greater. Manager Galloway said he could discuss this with Progress Energy to see if there are other options which they may consider.

Report by Attorney Griffin on Recent Municipal Attorney Conference

Attorney Griffin said he recently attended a Municipal Attorney Conference with the N. C. League of Municipalities. About 80 attorneys in North Carolina attended the conference which provided information which was practical, good and to the point. He added that after hearing some of the issues other towns are dealing with, working with Waynesville's Board of Aldermen is certainly a pleasure.

Adjournment

With no further business, Alderman Brown moved, seconded by Alderman Moore, to adjourn the meeting at 8:21 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor