

AGENDA
REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
TOWN HALL
JUNE 12, 2007
TUESDAY - 7:00 P.M.

The Board of Aldermen held a regular meeting on Tuesday, June 12, 2007. 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, Assistant to the Town Manager Alison Melnikova, Town Attorney Woodrow Griffin and Public Works Director Fred Baker. Mayor Foy called the meeting to order at 7:00 p.m.

Approval of Minutes of May 10, 14, 15 and 21, 2007

Alderman Caldwell moved, seconded by Alderman Feichter, to approve the minutes of the May 10, 14, 15 and 21, 2007 meetings as presented. The motion carried unanimously.

ADW Presentation Design of Police Station/Development Office

The architects with ADW have been working with the Town Staff on the interior layout of the police department, development office and the meeting room on the second floor of the new structure. There has also been a good deal of work done on the gated vehicle parking area and small town park on the area east of Wall Street. During the past three months, there have been three meetings with the architects to hash out the details and work through the plans. Mr. Carlyon and Jim Powell attended the Board meeting to present the preliminary design of the police station and development office.

Mr. Carlyon gave an update on the new Fire Station currently under construction. He said the construction is running ahead of schedule and once it is finished and the current Police Department is vacated, renovations can begin on the Police Station/Development Office. The new Fire Station is scheduled to be completed by March 31, 2008 and at the present time the contractors are ahead of schedule.

Mr. Carlyon distributed handouts showing the building design and preliminary construction estimates for the Police Station/Development Office. He explained that a green building study has been done for this project. The preliminary construction estimate is four and one half million dollars, which is about one million dollars higher than expected. Further review and modifications in the project may reduce the estimates, keeping the project more in line with the budget.

In designing the structure the architects tried to capture the feel of Waynesville with warm, inviting architecture, having a civic scale without a monumental ceiling.

The new building replicates the rhythm of Town Hall, with a meeting room overlooking Town Hall and the mountains in the background. The building's exterior has natural stone veneer, laminated timber wood at the top with a transition to brick. A plaza area with landscaping is located in front of the station with landscaping.

The floor plan contains a two story lobby area with the sub lobby serving the Police Station and waiting area. The Public Works Director, building inspections, planning and zoning are all in one location, making a convenient one stop development office. Conference tables and a shared second floor conference room are available. A stairway leads to the second level and an entrance to the meeting chambers which can also be used for various boards, commissions and other civic groups. There is office space for the Downtown Waynesville Association. An elevator accesses all three levels, with one of the lower level entry from Wall Street.

The Police Department has a processing room, evidence room and investigation area. Several security items are in place, including a "Sally Port" area with a gated area. There will be a gradual slope with landscaped area to the back parking lot on Wall Street.

75% of the existing walls, floors and roof will be used. Low emitting materials will be used, such as adhesives, sealants, paints, coatings, carpet, composite wood and agrifiber products.

A meeting will be scheduled to discuss the project further, prioritizing options and possibly reducing the estimates. Another estimate will be done at 30% complete drawings.

Once the architects have the approval of the Town Board, the next step will be the preparation of plans and specifications and gaining approvals of the various state and local officials for the building plans. This process will take a few months, leading up to an estimated bid opening date in December, 2007, and a tentative award of the bid later in that same month. Construction of the building could begin in February or March, 2008, but that depends on the status of the new fire station and the precise time when the fire and police departments are able to vacate the present structure and hand it over to the successful bidder for the extensive renovations and construction. No action was needed at this time.

Public Hearing - Text Amendment Regarding Monument Signs Hazelwood Neighborhood District

When the Land Development Standards were adopted in 2003, there was a great deal of time spent on the issue of business signage. There was an emphasis on trying to go with more monument signs, lower and more in the line of sight of motorists and pedestrians. These type signs were permitted in almost every district, but according to Planning Director Paul Benson, the Standards did not permit monument signs in the Hazelwood Neighborhood District.

In 2006, in the area of the Hazelwood Neighborhood District which abuts South Main Street, the Board approved certain commercial businesses between Virginia Avenue and Mississippi Avenue. A new business located on one of those lots and then discovered that a monument sign was not permitted.

At the Planning Board meeting of April 16, 2007, Mr. Benson recommended that there be a text amendment to the Land Development Standards to allow monument signs in the Hazelwood Neighborhood District which are no more than 16 square feet and no higher than four feet. After discussing the matter, the Planning Board unanimously approved a recommendation to the Town Board that the Hazelwood Neighborhood District standards be amended to permit monument signs with these limitations. The amendment is as follows:

Replace subsection 154.113(B)(9)(b) with the following text:

(b) Other Uses.

- Uses, other than those listed above, shall be permitted one (1) permanent sign per premise.
- The permitted sign may be attached or may be a freestanding monument sign.
- Permitted signs shall be a maximum of sixteen (16) square feet per face, two (2) faces per sign.
- Attached permanent window signage may not cover more than twenty-five (25) percent of the total window surface of the facade of the building on which the sign is located.
- The maximum height for monument signs is four (4) feet.
- Signs may be “top-lit” illuminated only.

Attorney Griffin opened the public hearing. Marty Schovich, presented a copy of the sign he is proposing for his business to be located at 1200 South Main Street. He said he has communicated the changes with his corporate office and a sign was designed to comply with the amendment. Mr. Schovich spoke in favor of the amendment.

Attorney Griffin closed the public hearing.

Alderman Brown moved, seconded by Alderman Feichter, to amend adopt an ordinance to amend Section 154.113(B)(9)(b) as proposed. The motion carried unanimously. (Ord. No. 14-07)

Public Hearing - Fiscal Year 2007-2008 Budget

At the meeting of May 10, 2007, the proposed budget for the 2007-2008 fiscal year was presented to the Town Board and a public hearing was scheduled for June 12, 2007.

Attorney Griffin opened the public hearing. No one spoke; Attorney Griffin closed the public hearing. The formal approval of the 2007-2008 budget will appear on the Board’s agenda for June 26, 2007.

Public Hearing - Annexations

A. 68 Lloyd’s Mountain Ridge - Owner: Coleen Moore

At the previous Board meeting, Town Clerk Phyllis McClure reported that her investigation revealed that the petition for annexation of this property into the Town of Waynesville met the

requirements of State Law. The Board passed a resolution calling on a public hearing on this annexation petition for the meeting of June 12. This is a single lot off Locust Drive and is now served with Town sewer as well as water.

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

Alderman Moore moved, seconded by Alderman Brown, to annex the property located at 68 Lloyd's Mountain Ridge, effective June 30, 2007. (Ord. No. 15-07)

B. Bradley Heights
Owner: Charles Jeremy Messer & Tiffany Messer

At the previous Board meeting, Town Clerk Phyllis McClure reported that her investigation revealed that the petition for annexation of this property into the Town of Waynesville complied with State Law. The Board passed a resolution calling on a public hearing on this annexation petition for the meeting of June 12. This is a 4.9 acre tract of land off Hall Top Road on which a number of attached dwelling units are proposed.

Attorney Griffin opened the public hearing. No one spoke; Attorney Griffin closed the public hearing. Alderman Moore moved, seconded by Alderman Caldwell, to annex the property located at Bradley Heights effective June 30, 2007. The motion carried unanimously. (Ord. No. 16-07)

Proposed Wireless Communication Facility

The Town has been contacted by Mr. Richard Rosenfeld with Site Acquisition Services for Pegasus Tower of Richland, Virginia. Mr. Rosenfeld's firm is interested in securing a site in the Hazelwood Town Park for the installation of a cell tower. Mr. Rosenfeld has spoken with Planning Director Paul Benson, Land Use Manager Byron Hickox and the Town Manager regarding the desired location of the cell tower.

While cell towers are allowed in this particular zoning district, they must meet the conditions established in the Town's Code of Ordinances. Mr. Rosenfeld has indicated that prior to proceeding with the issue of zoning compliance, he wanted to determine if the Town Board was interested in renting property at the Hazelwood Park to Pegasus. Mr. Rosenfeld was advised that the Town Board would need to make that determination.

The Town has two lease agreements with American Tower for cell towers located on Town property at the Reservoir Drive water tank and at the Shingle Cove water tank, with rental payments at each of those sites being \$1,150 monthly.

The bigger issue is not the lease amount but the tower itself. According to the letter, the height of the tower is to be 180 feet tall, the maximum allowed under the Town's Land Development Standards; however, there are several issues in terms of the location and site design for a tower of this size. If the Board is interested in further consideration of such a lease, those issues would have

to be addressed and resolved.

For instance, the tower has a minimum setback from the property line the height of the tower being erected, so in this case, the 180 foot tall tower would have to be 180 feet from any property line. According to the drawing on the Land Records map prepared by Byron Hickox, the Hazelwood Park has a property width of 295 feet, so if regulations are followed, the height of the tower could not exceed 147.5 feet.

No action was taken and there was no indication of interest in pursuing the proposal made by Pegasus Tower.

Resolution Regarding Pedestrian Planning Grant

Recently the Town Board was advised that Waynesville has been selected to receive a Pedestrian Planning Grant of \$16,000 from the North Carolina Department of Transportation. As one of the initial steps in this process, the Town Board needs to adopt a resolution regarding funding of this project. In the resolution, the Town is acknowledging that the project cost is estimated at \$20,000, with DOT supplying \$16,000 and the Town committing \$4,000 as a local match. Manager Galloway noted that such a sum is included in the 2007-2008 Town budget.

Alderman Moore moved, seconded by Alderman Brown, to adopt the resolution regarding a Pedestrian Planning Grant as presented. The motion carried unanimously. (Res. No. 13-07)

Petitions for Annexation

- A. U. S. Route 19 (east of U. S. Route 276) James H. Miller – property for Bojangles Restaurant
- B. 2344 Russ Avenue Darrell E. Schmidt – property with construction office

The Town has received petitions for voluntary annexation of the above two tracts of land very close to one another near the intersection of U. S. Routes 276 and 19.

Alderman Brown moved, seconded by Alderman Moore, to direct Town Clerk Phyllis McClure to investigate the sufficiency of these petitions. The motion carried unanimously. (Res. No. 14-07)

Award of Paving Bid

On Thursday, May 24, 2007, the Town opened bids on supplying street paving with both asphalt overlay and surface treatment methods. Bids were received as follows:

<u>Vendor</u>	Asphalt Concrete Surface Course Type <u>S9.5A 2,500 Ton</u>	Asphalt Concrete Surface Course Type <u>S9.5B 2,500 Ton</u>	Asphalt Surface Treatment Split Seal 2,000 sq. yd.	<u>Total Price A</u>	<u>Total Price B</u>
WNC Paving, Inc.	\$184,325.00 73.73/ton		\$3,920.00 1.96/sq. yd.	\$188,245.00	0

Apac Atlantic, Inc.	\$216,375.00	\$210,500.00	\$5,900.00	\$222,275.00	\$216,400.00
Asheville Division	86.55/ton	84.20/ton	2.95/sq. yd.		
Custom Paving, Inc.	\$196,500.00	\$187,500.00	\$5,000.00	\$201,500.00	\$192,500.00
	78.60/ton	75.00/ton	2.50 sq. yd.		

It was recommended that the bid be awarded to the low bidder, WNC Paving, with a total price of \$188,245.00.

Alderman Feichter moved, seconded by Alderman Caldwell, to accept the bid of WNC Paving in the amount of \$188,245.00 and award the paving contract to WNC Paving. The motion carried unanimously.

Amendment to Taxicab Ordinance

Manager Galloway said when the Taxicab Ordinance was sent to the State, additional wording was requested regarding fingerprinting and reference to the N. C. General Statutes.

Alderman Brown moved, seconded by Alderman Feichter, to amend the taxicab ordinance as recommended. The motion carried unanimously. (Ord. No. 6-07)

Closed Session to Discuss Property Matter

Alderman Caldwell moved, seconded by Alderman Brown, to adjourn to closed session at 8:29 p.m. to discuss a property matter. Alderman Brown moved, seconded by Alderman Caldwell to return to regular session at 8:50 p.m. Both motions carried unanimously.

Adjournment

Alderman Brown moved, seconded by Alderman Caldwell, to adjourn the meeting at 8:52 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Henry B. Foy
Mayor