

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
TOWN HALL
JANUARY 22, 2008
TUESDAY – 7:00 P.M.

The Board of Aldermen held a regular meeting on Tuesday, January 22, 2008. Members present were Mayor Gavin Brown, Aldermen Gary Caldwell, Libba Feichter, Kenneth Moore and LeRoy Roberson. Also present were Town Manager A. Lee Galloway, Town Clerk Phyllis McClure, Assistant to the Town Manager Alison Melnikova and Town Attorney Woodrow Griffin. Mayor Brown called the meeting to order at 7:00 p.m.

Approval of Minutes of January 8, 2008

Alderman Roberson moved, seconded by Alderman Feichter, to approve the minutes of the January 8, 2008 meeting as presented. The motion carried unanimously.

Public Hearing Regarding Annexation - 244 Acres off Phillips Road and Hall Top Road

Petitions for voluntary annexation have been submitted for two tracts of land off Phillips Road and Hall Top Road north of the U. S. 23/74 Bypass.

The first petition came from Samuel Carver and David Stubbs for a large tract comprising 204.5424 acres. The second petition came from Furman Milburn Stinnett and Clara Howell McConnell for a tract comprising 39.482 acres. These two tracts are under contract to be purchased for a major residential housing development known as the Overlook.

At the meeting of January 8, 2008, Town Clerk Phyllis McClure reported on her investigation into the sufficiency of the petitions received on the annexation. She advised that based upon her investigation, the petitions appeared to be sufficient and both comply with the requirements of the General Statutes of the State of North Carolina.

234 Queen Cove Rd-204.542 Acres Waynesville Overlook LLC (Samuel Carver & David Stubbs)

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

Alderman Caldwell moved, seconded by Alderman Feichter, to annex the 204.542 acres effective June 30, 2008. The motion carried unanimously. (Ord. No. 3-08)

58 Collier Lane - 39.482 Acres & .028 Acres - (Clara H. McConnell & Furman Milburn Stinnett)

Attorney Griffin opened the public hearing.

Mr. Jerry Biller said he owned 17 acres in the area and wanted to know if these properties have access to water and sewer. Manager Galloway said the petitioners desire water and sewer for the property. Water is currently available to the property and the petitioner plans to extend the sewer. Mayor Brown said the costs to extend water and sewer to these areas would be borne by the developer.

Mr. Biller also questioned notices for the public hearing on this annexation. Town Clerk McClure said a legal ad appeared in The Mountaineer as required by State Law and an article appeared in The Mountaineer regarding the public hearing.

Alderman Moore moved, seconded by Alderman Caldwell, to annex the properties effective June 30, 2008. The motion carried unanimously. (Ord. No. 4-08)

Award of Bid - Two Commercial Front Loading Garbage Trucks

At the Board Retreat on Friday, January 18, information was presented on the bids received for supplying the Town with two commercial front loading garbage trucks. The bids which were received and the report of Streets and Sanitation Superintendent Daryl Hannah were provided for the Board to review.

Town Manager Galloway said he has carefully gone through the various bids received and the specifications for the trucks. Typically, it is staff's recommendation that the town select the lowest bid, if the low bidder meets the specifications. In reviewing the bids received on the trucks and the garbage bodies, it is felt that several of the bidders do not meet specification. The recommendation is also made based upon the satisfactory experiences of others with the equipment which is being offered to the Town of Waynesville. In the case of one of the garbage bodies being offered, the experience of some others who have used this equipment has been less than glowing.

Based upon the Manager's review of the bids and the information secured from others, the following comments were made on the bids offered:

- Amick Equipment \$183,140 each
 2008 Mack Truck
 Pak-More FPE840B Garbage Body

There were numerous exceptions to the specifications, primarily less gauge in the steel in the body and less PSI yields on the strength of the steel. Many of the items requested in the bid specification are available from Pak-Mor, but at a higher cost. While the Mack Truck meets the specifications, it is for a 2008 model while other firms bid on a 2009 model.

- Mack of Charlotte \$185,474 each
 2009 Mack Truck/E-Z Pack Body
- Cavalier Equipment \$185,763 each
 2009 Mack Truck/E-Z Pack Body

These units are pretty much for the same truck and the same garbage body. The feedback reported by Daryl Hannah based upon input from current users of the E-Z Pack garbage body was not good. In Mr. Hannah's report, he noted that there were problems with the sensors on the unit and with the dumpsters being dropped into the garbage body. There were also issues with Cherokee County being required to take the truck back to the dealer in Greenville, South Carolina, for repairs, rather than E-Z

Pack sending a repairman to the owner's site for repairs. We do not want to order a piece of equipment that will be unsatisfactory from the start.

- McNeilus Companies \$186,203 each

2008 Peterbilt Truck/McNeilus Model 4029 Body

The McNeilus Garbage Body is a good one and comes very close to meeting the specifications that we provided to vendors. The Peterbilt Truck took a number of exceptions to the bid specifications, but one of the most significant variations is that the vendor bid a 2008 model while others bid a 2009 model. Another significant variation is on the warranty on the Peterbilt Truck which is for one year rather than the five-year warranty period offered on the Mack Truck. While the bidder states that an additional warranty is an option, no price was provided for the additional warranty. With the year older model and the lesser warranty for the Peterbilt versus the Mack, we feel we would have to recommend the Mack over the Peterbilt.

- Mack Truck of Charlotte \$190,124 each

2009 Mack Truck/Heil Body

The Mack Truck meets the bid specifications completely.

The Heil Garbage body meets the specification with only exception.

Manager Galloway said based upon review of the documents and the input from Streets and Sanitation Superintendent Daryl Hannah, it was recommended that the Town Board select the bid of Mack Truck of Charlotte for two 2009 Mack MRU 613 Cab and Chassis with a Heil Half/Pack garbage body at a cost of \$190,124 each or a total of \$380,248.

Alderman Roberson moved, seconded by Alderman Feichter, to award the bid as presented and recommended to Mack Truck of Charlotte for two 2009 Mack MRU 613 Cab and Chassis with a Heil Half/Pack garbage body at a total cost of \$380,248. The motion carried unanimously.

Mayor Brown said it should be noted that although the recommended bid was not the lowest bid, it was important to consider the mechanical history on each of the trucks.

Alderman Feichter said she would like to thank Daryl Hannah for the good job he had done with providing the information to the Board on each of these trucks.

Supplemental Enhancement Agreement With the North Carolina Department of Transportation

During the last session of the General Assembly, efforts were underway to secure additional funding for the construction of the Greenway between Lake Junaluska and Howell Mill Road. In 2000, the Town had received a \$200,000 grant from the State for this work. Due to a number of delays and the inability to find a satisfactory route, when the work was finally put out to bid, the proposals offered were considerably higher than the funds the town had available.

An additional total of \$165,000 was made available due to the work of Transportation Board member Conrad Burrell. Mr. Burrell approached DOT Secretary and he agreed to pledge \$82,500 to the Waynesville project. In addition, he recommended that the Town contact our State Representatives and Senators and seek their help in getting the additional \$165,000 needed for the project. The Town

worked with Representative Ray Rapp, Representative Phil Haire, Senator Joe Sam Queen and Senator John Snow. They were most helpful in working with the leadership of the House and Senate, and the additional \$82,500 was pledged to the project.

Tim Plowman, Parks and Recreation, attended the meeting to answer any questions the Board may have. Mr. Plowman said if everything goes well, a dedication date of April 22, 2008 is planned.

Alderman Feichter expressed appreciation to Tim Plowman for his work and determination on this project for the past few years.

Mayor Brown said the work of Representative Ray Rapp, Representative Phil Haire and NC Department of Transportation Representative Tippet provided these funds. Town Manager Galloway said NCDOT Board Member Conrad Burrell also helped Waynesville get this money. The Board expressed appreciation to all those involved in obtaining this money for the greenway.

Alderman Feichter moved, seconded by Alderman Moore, to adopt a resolution to expend the \$165,000. The motion carried unanimously. (Cont. No.1-08)

Reimbursement Agreement With North Carolina Department of Transportation to Purchase Deicing Salt

For many years, the Town of Waynesville had an agreement with the State Of North Carolina to purchase road salt. This was done in an effort to save money, thinking that the State, with a large volume of salt purchased, could command a much better price than a small town like Waynesville. This past week, when the Town attempted to buy salt for the upcoming winter weather, it was learned that the agreement had expired.

Alderman Feichter moved, seconded by Alderman Caldwell, to pass a resolution authorizing Mayor Brown to sign a new agreement between the Town and the State for the purchase of road salt from the State. The motion carried unanimously. (Cont. No. 2-08)

Power Point Presentation of Hyatt and Richland Creeks Watershed Restoration Projects

Eric Romaniszn, Project Manager for Haywood Waterways, attended the meeting to update the Board on the Hyatt Creek and Richland Creek restoration projects and to request a letter of support from the Town of Waynesville. Water quality problems have placed Hyatt, Richland, Fines and Raccoon Creeks on the North Carolina Department Environment and Natural Resources, Division of Water Quality State impaired stream 303(d) list. The number one pollutant found in the waterways is sediment. Another problem found in the waterways is the presence of fecal coliform. There have been significant improvements in the Hyatt Creek restoration project, and Mr. Romaniszn noted that it was not the intent to punish anyone in violation, but rather to work with and correct those violations. Thirty-six violations have been found with twenty-nine repairs made so far. They have just completed their second of three years in the project. Mr. Romaniszn presented a power point presentation of the work of the Haywood Waterways.

Public education is one of their priorities, including signs, meetings, septic system repairs, press releases and newsletter articles. Growth readiness workshops have been held and IPSI Data has been upgraded.

Some of the objectives of the group include:

- 1) Identifying potential watersheds for future projects in Haywood County.
- 2) Continue to pursue de-listing Haywood County waterways on the 303(d) list.
- 3) Reduce water quality and economic impacts to the waterways of Haywood County.
- 4) Provide clean water for recreational activities to the citizens of Haywood County.

Alderman Moore moved, seconded by Alderman Feichter, to authorize a letter of support from the Town of Waynesville for Haywood Waterways. The motion carried unanimously.

Manager Galloway said a couple of years ago the Town of Waynesville completed a sewer improvement project at Shelton Branch. Work is planned in other areas in Waynesville to repair or replace sewer lines which will help in the work to reduce fecal coliform in waterways.

Discussion of Referendum on Mixed Beverages

Alderman Caldwell moved, seconded by Alderman Roberson, to formally request that the Haywood County Board of Elections include elections for the Town of Waynesville, according to 18B-602(h), to vote “FOR” or “AGAINST” a referendum “to permit the sale of mixed beverages in hotels, restaurants, private clubs, community theaters and convention centers”.

Alderman Caldwell moved, seconded by Alderman Roberson, to request that this vote be placed specifically on the May 6, 2008 Primary Ballot. Both motions carried unanimously.

Retreat and Manager’s Conference

Manager Galloway reported that the Board of Aldermen had a good retreat last Friday and covered a lot of material.

Manager Galloway said he would be away Wednesday, Thursday and Friday of next week to attend the Manager’s Conference at Research Triangle in Raleigh.

Various Issues - Alderman Moore

Pedestrian Island at Intersection of North Main Street/Broadview Road

Alderman Moore said he has received four or five telephone calls about a school bus having difficulty at the intersection of Broadview Road at the new Fire Station on North Main Street. A pedestrian island in North Main Street causes the school bus to drive through the General Insurance parking lot to Leatherwood Street. Manager Galloway said he would need to look at this.

Land Development Standards

Alderman Moore said the Town's Land Development Standards have been in effect for five years and may need changes. There seems to be a large number of amendment requests. Alderman Moore felt that a committee may need to be appointed to review the Land Development Standards and recommend ways to simplify the document.

Mayor Brown said the Land Development Standards were adopted in 2003. One of the objectives was to go back and look at the plan later to make sure it is meeting the Town's needs. It may now be time to revisit the Land Development Standards.

Alderman Caldwell said he has spoken with Town Planner Paul Benson and he felt that the document was too large and could possibly be simplified and reduced in size.

Manager Galloway said this is one of the items scheduled for the April Retreat.

Salary Increase for ABC Board Members

Alderman Moore said it has been several years since the Board has recommended a salary increase for the ABC Board Members and suggested that they consider this. Manager Galloway said he knew the last increase was before 2000 and he would look into this matter for the Board.

Comments by Mayor Brown

Mayor Brown said he is beginning to experience the work of the Mayor. During the past week he spent four hours participating in the Martin Luther King Celebration, one hour with a developer, several telephone calls from citizens and a ribbon cutting. There are a lot of things going on. The building pad for the new Wal Mart has been turned over to the owner, bids for the project were received last week and construction should begin soon. The building pad for Home Depot is scheduled to be turned over March 21.

Manager Galloway said the plans for Wal Mart have been approved and they can get their permit at any time.

Adjournment

With no further business, Alderman Caldwell moved, seconded by Alderman Moore, to adjourn the meeting at 8:10 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Gavin A. Brown
Mayor