

AGENDA  
REGULAR MEETING  
BOARD OF ALDERMEN  
TOWN OF WAYNESVILLE  
TOWN HALL  
JULY 8, 2008  
TUESDAY - 7:00 P.M.

The Board of Aldermen held a regular meeting on Tuesday, July 8, 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, Finance Director Eddie Caldwell, Town Attorney Woodrow Griffin and Assistant Town Manager Alison Melnikova. Mayor Brown called the meeting to order at 7:00 p.m.

Approval of Minutes of June 24, 2008

Alderman Caldwell moved, seconded by Alderman Feichter, to approve the minutes of the June 24, 2008 meeting as presented. The motion carried unanimously.

Award of Construction Contract Installation of Electric Substation No. 2

Manager Galloway said the new electric substation has been a challenge in terms of ordering materials and steel and then bidding the installation of the underground duct bank and the actual construction of the substation. The process began last fall when the transformer was ordered and has continued up until bids were received on the installation of the substation and construction of the circuit exits, feeder ties and duct bank. The transformer was ordered in early December with a 9-month delivery, so the unit was not expected until September. With the state of the economy, there have been cutbacks in orders, and the transformer was received on June 25.

Bids were received on May 27, 2008 from firms wishing to install the substation as follows:

Aubrey Silvey Enterprises	\$628,800.00
C. W. Wright Construction	\$663,157.00
Lee Electrical	\$479,995.00
New River Electrical	\$577,601.78
Service Electric Company	\$465,765.00
The Shaw Group	\$523,712.00

Booth & Associates recommended the award to the low bidder, Service Electric Company of Chattanooga, Tennessee, in the amount of \$465,765.00. Booth & Associates has worked with this firm previously and has no reservations about recommending them for this job.

Town staff joined Booth & Associates in recommending that the Town Board approve the bid of Service Electric Company of Chattanooga, Tennessee, in the amount of \$465,765, for the installation of the Substation No. 2 off Calhoun Road.

Manager Galloway said the Local Government Commission has approved the loan for this construction. The construction will be designed so that six separate systems can be run underground rather than overhead. This should help Associated Packaging and keep them from having any electrical “blips”. The Town has obtained a right-of-way along Calhoun Road to Associated Packaging. This construction should be complete by the end of February. Once complete the total project cost, including property, is 3.6 million dollars.

It was the consensus of the Board that both items regarding the electric substation be considered together.

Award of Contract for Construction of Distribution Circuit Exits and Feeder Ties, Manhole, Duct Bank and Cable Pulling for Substation No. 2

On May 7, 2008, Booth and Associates opened bids for the construction of the Distribution Circuit Exits and Feeder Ties, Manhole, Duct Bank and Cable Pulling for the Electrical Substation No. 2 located off Calhoun Road. Bids were received as follows:

Barnes & Powell Electrical Company, Inc.	No Bid
C. W. Wright Construction Company, Inc.	\$1,593,182.99
Davis H. Elliot Company, Inc.	No Bid
E & R, Inc.	No Bid
Lee Electrical Construction, Inc.	\$850,324.19
MasTec Energy Services	\$876,799.12
Pike Electric, Inc.	No Bid
Richardson-Wayland Electrical Corp.	No Bid

The low bidder on this portion of the work was Lee Electrical Construction, Inc. of Aberdeen, North Carolina, with a low bid of \$850,324.19. Booth has worked with Lee Electrical on previous jobs and has no reservations about recommending them for this work.

Town staff joined Booth & Associates in recommending that the Town Board approve the bid of Lee Electrical Construction, Inc., of Aberdeen, North Carolina, in the amount of \$850,324.19, for the construction of Distribution Circuit Exits and Feeder Ties, Manhole, Duct Bank and Cable Pulling for Substation Number 2.

Alderman Moore moved, seconded by Alderman Roberson, to award the bids for electric substation construction as recommended to Service Electric Company of Chattanooga, Tennessee, in the amount of \$465,765.00 and Lee Electrical Construction, Inc. of Aberdeen, North Carolina in the amount of \$850,324.19. The motion carried unanimously.

Agreement With North Carolina Department of Transportation for Bridge Repair At Brookside Court Over Plott Creek

During their annual inspection of the bridges owned and maintained by the Town of Waynesville, the engineers hired by the North Carolina Department of Transportation discovered a serious defect in one pier under the bridge on Brookside Court over Plott Creek. The DOT gave the Town immediate notification about the structural problems with this particular bridge.

Under normal conditions, the annual inspections on the bridges results in point rating for each bridge. When a bridge falls to a certain point, that bridge is eligible for consideration for replacement, and that has been done with the Boyd Avenue Bridge and the Scates Street Bridge. That is the process presently being followed on the Hendrix Street Bridge, and it should be replaced during the next year. But those bridges are replaced in their entirety, and when that is done, there are a number of other issues which must be addressed and a number of other costs to incur. When that is done, the Town contributes 20% of the money and the balance comes from the U. S. Department of Transportation. In those cases, there is usually a three or more year delay and an extensive amount of engineering involved.

In a case such as the Brookside Court Bridge, the inspectors found a bridge that was in reasonably good shape except for one pier. The DOT has a program under which they make bridge repairs of this nature, and when on a municipal system, the only requirement of the Town is to reimburse the DOT for the actual cost of repairs. The DOT has investigated the matter and offers to make the repairs to the bridge for a fee in the amount of \$7,657.48.

Upon receiving this estimate, Manager Galloway said that the DOT was asked to prepare a municipal agreement by which the Town agrees to reimburse the DOT for the cost of the repairs. The Town's obligation for this work is \$7,657.48. This bridge was built around 1965. The weight limit on the bridge will probably be changed until the repairs are made.

Alderman Feichter moved, seconded by Alderman Moore, to approve the agreement with NC Department of Transportation to repair the Brookside Court Bridge off Plott Creek Road. The motion carried unanimously. (Cont. No. 16-08)

Award of Paving Contract

On June 25, 2008, Purchasing Supervisor Julie Grasty opened bids for providing asphalt and doing surface treatment of Town streets. With the cost of petroleum changing on almost a daily basis, the bidders have declined to provide a price which would be good for the entire year. Instead, they have bid what the cost would be at this time and plan to adjust their prices on a State indexing.

While this was certainly different from what we are used to, Manager Galloway said he could understand and sympathize with their decision not to tie themselves to a price long term. Their costs for asphalt change rapidly, and it is understood why they cannot offer a price that would be good for an entire year.

Bids were received as follows:

	Asphalt Concrete Surface Course Type <u>S9.5A 2,500 Ton</u>	Asphalt Surface Treatment Split <u>Seal 2,000 sq. yd.</u>	<u>Bid</u>	<u>Bond</u>
WNC Paving, Inc.	\$205,000.900 \$82.00/ton	\$4,400.00 \$2.20 sq. yd.	\$209,400.00	Yes
Apac Atlantic, Inc.	\$242,000.00 \$96.80/ton	\$7,500.00 \$3.75 sq. yd.	\$249,500.00	Yes

Custom Paving, Inc.	\$216,000.00	\$4,760.00	\$220,760.00	Yes
	\$86.40/ton	\$2.38 sq. yd.		

The low bidder for both the Asphalt Concrete mix and the Surface Treatment was WNC Paving, Inc. Approximately \$205,000 is budgeted for asphalt resurfacing. Manager Galloway said regardless of what the price may be for the asphalt, when that sum is reached, the Town will stop buying any asphalt for the remainder of the budget year.

There was discussion whether the Town could bid the paving on a ninety-day contract or just pave as needed. Purchasing Supervisor Julie Grasty said the bid last year was \$73.73 per ton. Manager Galloway said WNC Paving has traditionally been the lowest bidder for the past several years. Based upon the bids, Town Staff recommended that the Town Board award the bid to WNC Paving of Waynesville.

Alderman Roberson moved, seconded by Alderman Feichter, to award the bid to WNC Paving, Inc. as recommended. The motion carried unanimously.

Declare Town Property Surplus for Auction Ms. Julie Grasty, Purchasing Supervisor

Each year, new vehicles are purchased to replace vehicles which have been worn out or in need of replacement. In addition, there may be other pieces of equipment the Town has which have become obsolete or which are no longer in use. When this occurs, Town Staff usually accumulates the vehicles and equipment which are no longer needed by the Town and prepares a list of items viewed as surplus. Once that list is prepared, the Purchasing Supervisor presents the list to the Town Board, asking that the items be declared surplus and giving the Purchasing Supervisor the right to dispose of the equipment at the highest possible price for the Town.

In recent years, the Town has placed most of its rolling stock on the Gov-Deals system, a process by which the vehicles are sold on-line. The Town received a much higher price bidding off these vehicles in that manner than through the auctions used in the past. A fee is paid to Gov-Deals for selling the vehicles on line, but a fee is also paid for advertising surplus items in the local newspaper and in contacting vendors and individuals who might be interested in purchasing used vehicles.

Alderman Moore moved, seconded by Alderman Caldwell, to approve the list of town property surplus for auction by Purchasing Supervisor Julie Grasty. The motion carried unanimously.

Petition for Voluntary Annexation - 6.6 Acres at 41 Lansing Road - Richard Miller

The Town received a petition from Mr. Richard Miller for the annexation of a 6.6 acre tract of land located at 41 Lansing Road which is in the Shingle Cove area north of the Chestnut Park Development and on the opposite side of the US 23/74 Bypass.

Alderman Moore moved, seconded by Alderman Feichter, to adopt a resolution requesting that the Town Clerk investigate the sufficiency of the petition. The motion carried unanimously. (Res. No. 20-08)

### Limitation on Parking South Main Street, Just South of Academy Street

Last year, the Town's Public Works Department worked with property owner Rex Feichter to improve the appearance and traffic flow on the property he owns at the corner of Academy and South Main Streets. A new sidewalk was poured and the vehicle access to the commercial property was redirected.

Overall, this has worked well, though there has been one problem which the Town has attempted to correct. By installing new sidewalk and redesigning the traffic flow, the opportunity for some new parking spaces was created along South Main Street. To take advantage of this situation, the public works department installed parallel parking spaces on South Main in front of Mr. Feichter's property.

It did not take long for the business owners in the commercial businesses to begin using those parking spaces. Some of these were larger vehicles, trucks and SUVs, and the size of these vehicles blocked the visibility of motorists leaving the commercial property and returning to South Main Street. As a result, there were several wrecks at this point, and after consultations between the Police and Public Works Department, two of the parking spaces were eliminated, improving the visibility for motorists leaving the shopping area.

In continuing to review the situation, merchants would use the on street parking spaces which were intended for their customers and clients. There is not an overabundance of parking spaces in the shopping area at present, it was thought that the addition of a few spaces on South Main Street might increase the viability of the businesses in that shopping center. Town staff believed those spaces should be reserved for customers and that shop owners and employees should find other areas in which to park. Several additional spaces were created on South Main Street between the Oak Park Inn Motel and the Diamond and Gold Exchange, and those areas would be suitable for merchants and employees from the businesses in the shopping area.

Alderman Moore moved, seconded by Alderman Caldwell, to amend Section 54.148(C) of the Town Ordinances to establish a parking time limit of one hour for the two parking spaces on South Main Street immediately south of its intersection with Academy Street. The motion carried unanimously. (Ord. No. 22-08)

### Discussion Regarding Eagle Nest Water System

Alderman Roberson had some questions regarding the Eagle Nest water system and the Board discussed the issue. Alderman Roberson asked who would be responsible if the cost for this system exceeded 1.3 million dollars. Manager Galloway said he has assured the homeowners that any expense in excess of this amount would be their responsibility. Alderman Roberson said he did not feel that the Town should be liable for any of the expenses.

Mayor Brown pointed out that the Town of Waynesville has no obligation to provide water to the Eagle Nest area outside the corporate limits. The property owners will need to sign easements, otherwise the offer by the Town to extend the water to this area would no longer be considered.

Manager Galloway said if the project somehow stops, the State would take over the project. Alderman Roberson asked about the environmental impact of the project. Attorney Griffin explained that once the system is installed it will be owned and maintained by the Town of Waynesville. Alderman Roberson asked if the maintenance costs would be passed along to the property owners. Manager Galloway said pumps are required to get the water to this area, some houses require five pumps and some will be require six. Property owners will pay a monthly pump fee for each pump. For example if five pumps are required to get water to the property, the owner would pay \$7.41 (current price) per pump/per month regardless of whether their account is currently active.

It was pointed out that Waynesville is merely helping the property owners and if this did not work, the property owners could deal with the State.

Alderman Roberson asked if extending water to this area would be an indication that the area will be opened up to more development. Manager Galloway said there are limitations on slope requirements, but more development is possible. There is a total of 90 lots in the area. Mayor Brown said the problems with water currently being faced are because of problems with the septic systems. The Town does not enforce homeowner restrictions. Attorney Griffin said it would be possible for property owners to buy a water tap for each lot. Mayor Brown said it was not the Town's job to restrict the sale of water taps.

#### Speeding on Hendrix Street

Alderman Moore said the speed limit on Hendrix Street may need to be reduced and he would like for the Police Department to conduct a traffic survey and make a recommendation for the speed limit on Hendrix Street. There was concern that speeding would become a problem with the increased traffic from new development in this area.

#### Upcoming Events

The Folkmoot Parade is scheduled for Friday, July 18 at 1:00 p.m. Two Watershed Forums are scheduled for Wednesday, July 9 from 3:00 - 5:00 p.m. and Tuesday, July 15 from 5:30 - 7:30 p.m. Dr. Peter Bates with Western Carolina University will be present at the forums.

#### Adjournment

With no further business, Alderman Feichter moved, seconded by Alderman Roberson, to adjourn the meeting at 8:23 p.m. The motion carried unanimously.

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Phyllis R. McClure  
Town Clerk

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Gavin A. Brown  
Mayor