

AGENDA
REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
TOWN HALL
JANUARY 13, 2009
TUESDAY – 7:00 P.M.

The Board of Aldermen held a regular meeting on Tuesday, January 13, 2009. 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, Town Attorney Woodrow Griffin, Assistant Town Manager Alison Melnikova, Finance Director Eddie Caldwell, Public Works Director Fred Baker, Planning Director Paul Benson and Parks and Recreation Director Rhett Langston. Mayor Brown called the meeting to order at 7:00 p.m.

Approval of Minutes of December 9, 2008

Alderman Caldwell moved, seconded by Alderman Feichter, to approve the minutes of the December 9, 2008 meeting as presented. The motion carried unanimously.

Presentation of Certificate by ROTC

Jordan Brown, a representative of the Tuscola High School ROTC and grandson of Mayor Gavin Brown, attended the meeting to present a framed certificate of thanks to the Town for their partial sponsorship of a dinner saluting military veterans.

Mayor Brown said it was an honor for the Town to provide this funding for veterans, adding that some of those attending the dinner were Town of Waynesville employees that are also veterans.

Public Hearing - Annexation - .249 Acres at 2018 Dellwood Road - Kevin and Melanie Sandefur

In recent months, the Board received an annexation petition for a .249 acre tract of land located at 2018 Dellwood Road, west of the Sunoco Convenience Store and gas station and owned by Kevin and Melanie Sandefur. When the petition was initially presented, the Board adopted a resolution directing Town Clerk Phyllis McClure to investigate the sufficiency of the petition. She found that the petition was sufficient in that it met all the requirements of state law pertaining to a satellite annexation. The Board then approved a resolution setting a public hearing date on the annexation petition for January 13, 2009.

Attorney Griffin opened the public hearing.

Melanie Sandefur requested that the annexation be made effective at least thirty days from now to give the attendant, Appalachian Spa, an opportunity to complete some things they want to do to the property.

Alderman Moore moved, seconded by Alderman Caldwell, to annex the property located at 2018 Dellwood Road effective February 15, 2009. The motion carried unanimously. (Ord. No. 1-09)

Rhett Langston, Director of Parks and Recreation Department - Parks and Recreation Grant Application Status Report

Rhett Langston, Director of Parks and Recreation Department, attended the meeting to give a report on the status of the skateboard park project and bring the board up to date on fundraising activities. He also advised the Board of a PartF Grant which might be a potential funding source for a portion of the costs of the skateboard park and asked for the Board's approval in order to submit the application for this grant. Mr. Langston said there were 15.5 million dollars available through this grant program in 2006, 13.5 million dollars were available in 2007 and there are only 7.5 million dollars available for 2008. Mr. Langston said if the amount in the grant application is kept low, Waynesville may be more likely to receive approval for the grant monies. He added that these monies are geographically awarded which would also be favorable for Waynesville. The amount being requested is \$70,000, and this is a reimbursement matching grant. Grant monies are awarded during the months of May and June. The grant requires that the skateboard park be built within three (3) years of the award of the grant. \$70,000 is currently budgeted for the skateboard park.

Mr. Langston said everyone he has spoken with has indicated that a skateboard park should be located in a highly visible area. The area being proposed is a very visible location with room to expand in the future. Mr. Langston said the proposed site is located off Vance Street where the horse ring was located. There has been discussion about the size of the park and an 8,000 square foot park is being proposed. The skateboard park could be built in two phases. Approximate costs for the 100' x 80' area include \$50,000 for the grading and concrete pad, \$9,000 for fencing and \$5,000 for signs, including rock work and landscaping. Phase 1 would cost approximately \$140,000. Phase 2 would include parking lot paving for around \$33,000. Other objects for the park would cost approximately \$62,000. The remainder of funds needed for the skateboard park could be raised through fund-raisers and sponsorships. Ms. Jane Harrison is spearheading the fund-raising efforts and work is underway to form a fund-raising committee. An itemized list will be constructed, based upon meetings with the children to see which objects they would like to have included in the park. \$6,000 has been raised to date.

Alderman Caldwell said everything is looking favorable with the skateboard park and he was very happy with volunteers such as Jane Harrison and Elaine Kuhl. Ms. Kuhl passed away recently, but was very involved in activities dealing with the skateboard park. Alderman Feichter said Jane Harrison was very involved with the Kiwanis Playground and is a very good organizer. Alderman Caldwell has been a supporter of this project for several years. Alderman Moore said he was satisfied with the proposal.

The Board thanked Rhett Langston for his presentation and for his excellent work in recreation.

Alderman Caldwell moved, seconded by Alderman Roberson, to authorize Rhett Langston to proceed with the grant application as presented. The motion carried unanimously.

Recreation Facility Attendance and Update on Indoor Swimming Pool

Rhett Langston said December 2008 reflected the highest attendance at the Recreation Center on record. He added that the past eight (8) months have had the largest attendance record at the Center. Mr. Langston commended the recreation staff, adding that they have done a phenomenal job. In 2007, 121,000 people visited to the Center. In 2008 that number increased to 136,000 visits.

Mr. Langston gave an explanation regarding chlorine for indoor swimming pools. Some complaints were received about smells of chlorine at the indoor swimming pool. It was felt that the problems have now been resolved. \$30,000 was included in the budget to install a second unit to remove chlorine. The unit uses an ultraviolet light process to remove chlorine and this process seems to work best with indoor pools.

Mayor Brown said Rhett Langston provides a weekly report to the Town Manager, keeping him informed of activities in recreation. Mayor Brown and the Board of Aldermen applauded Rhett Langston for keeping them informed. No action was necessary.

Paul Benson - Land Development Standards

During the summer of 2008, the Board received a report from Planning Director Paul Benson on his funding request in the 2008-2009 budget to hire a consultant to conduct a review of and make revisions to the Town's Land Development Standards. At that time, Mr. Benson presented what was probably an overly optimistic schedule for the process. The request for proposals was prepared and distributed to a number of potential consultants in the region and during the early fall, a number of firms submitted proposals to conduct the work.

Five firms submitted proposals, and the Planning Staff along with others in administration reviewed the submittals. There was general agreement as to which firm had the most attractive proposal, but the cost quoted was well in excess of the funds which were budgeted for the work. The amount budgeted was an estimate and as it turned out, well under the amounts proposed.

During the past month, Mr. Benson has been in negotiations with one of the firms, and Town Staff met with a representative of that firm on the morning of Monday, January 12.

Mr. Benson said town staff feels strongly that The Lawrence Group would be the best qualified. Their price was \$50,000, somewhat higher than the \$30,000 that was budgeted. This group is committed to smart growth philosophy and it was felt that this group is a great fit for this area and could perfect the regulations currently in place. The group has a great deal of statewide experience and seems to be very tuned into Western North Carolina. Mr. Benson said he felt good in recommending The Lawrence Group to conduct this study.

Paul Benson explained why this process has taken so much time. He said the Russ Avenue Corridor Study and Pedestrian Study have been a slow process. After last year's retreat, contracts were signed for these studies and they had to take first priority. In addition, last year

was a record year with forty million dollars in development. He said 2008 was a very busy calendar year and he apologized for the optimistic time schedule originally proposed.

Mr. Benson said he is hoping that the Land Development Study Committee can conduct weekly meetings or at least regular meetings. Drafts will be done in three sections. In addition, charettes or workshops can be held. The process will take approximately eight months from the time the contract is signed so it will probably be this time next year before the review is complete.

Mr. Benson said he spoke with the consultant about doing a corridor study of the South Main Street area and working with the NCDOT. This could give a better indication of the proposed right-of-way in this area. This is not included with the proposal, but could be done separately.

Mayor Brown said a request several months ago was tabled because the right-of-way in this area was unknown. Mayor Brown asked that this item be placed on the agenda of the January 27 meeting for further discussion. A NCDOT representative indicated that the study was currently underway.

Manager Galloway said he was very impressed with The Lawrence Group. They are also discussing improvements needed on the Land Development Standards section of the Town of Waynesville's website to make it more user friendly and easier to navigate.

Alderman Roberson said he would like to see a brief monthly report so the Board will know how the process is progressing.

Alderman Feichter moved, seconded by Alderman Moore, to authorize Town Manager Galloway to enter into a contract with The Lawrence Group as proposed and recommended. The motion carried unanimously. (Cont. No. 2-09)

Fred Baker - Easement for New Electric Substation Connecting Lines

For the past year, there has been discussion about the new electrical substation currently under construction off Howell Mill Road, just north of Ingles. Parts were ordered, piece by piece, trying to have delivery of the new transformer, the steel, the electrical switches, and other apparatus in a timed manner.

The substation is nearing completion, and the underground duct bank with the power lines has been installed between the substation and the Waynesville Plaza Shopping Center. At that point, the lines come out of the ground and go airborne, with some extending to the intersection of Walnut Street and Vance Street where the contractor will tie the new feeder lines into the existing system. The majority of this work has been bid and is nearly completed. There does remain a short span on the Able property just east of the Go Grocery where the lines must go to connect to the feeder at Walnut and Vance Street. In order to make this connection, the Town will need an easement across the Able property.

Public Works Director Fred Baker attended the meeting to explain the work done to date and the work which remains. Mr. Baker said one of the delays experienced is because one of the pieces of equipment purchased last July is not yet ready and will not be here until the first part of February. During the week of February 9, the substation can hopefully be energized. Lee Electrical started work on Monday, January 12 and should be completed by mid February. The Town still needs permission to add three poles and an easement is required for this work. Mr. Baker explained that 40% of Waynesville's electric load will go to the new substation on Calhoun Road and 60% will go to the old substation on Smathers Street. Infrared shots of the old substation reveal some hot spots which indicate possible future failure. Once complete, when work is being done on one substation, the electric load will be transferred to the other substation.

Waynesville currently has six electric feeders, when this substation is complete there will be eight (three at the new substation and five at the old substation). With the new substation some of those feeders could be taken out of service for maintenance and the electricity would be transferred to run off the new substation. Associated Packaging, Waynesville's largest electric customer, will have a direct underground connection.

Mayor Brown has been in discussions with the property owners and has advised that if the necessary easements cannot be obtained, it may be necessary for the Town to file for condemnation of the property. An appraisal of the area needed for the easement has been done. Mayor Brown has explained to the property owners that there are certain deadlines and time lines that need to be worked within. He would like to be continue negotiations with the property owners and find a number that everyone is comfortable with. Attorney Griffin will get details on the procedure in case condemnation proceedings become necessary.

Mr. Baker explained that there were other ways to run the electric lines, but they affect the same property, just in more negative ways, bisecting the property rather than following property lines. This is the most economical and feasible route. Mr. Baker would like to see this issue resolved as soon as possible. The contractors are completing other work now and he would like to have this work done while they are in Waynesville, rather than calling them back at a later time which would add additional costs to the work.

Mayor Brown will continue negotiations with the property owners and report to the Board at the next meeting.

Annual Certification of Firemen

Each year, the Town of Waynesville must certify a roster of the firemen to the North Carolina State Fireman's Association. In order to be eligible for inclusion on this list, a firefighter must complete a certain number of hours in training and participate on a regular basis in activities of the department. A firefighter that maintains certification is eligible for the \$50,000 line-of-duty death benefit as well as credit in the Pension Fund which entitles the individual to a monthly benefit upon completion of 20 years service.

Each year, the Fire Chief must complete this report and it is presented to the town's governing body for their certification to the State.

Manager Galloway said this year, a number of new firefighters have been added to the department. The department lost several volunteers in the past year, and Chief Joey Webb and his department are working to add new volunteers so that the ranks are full. The Town has ten full time paid fire fighter positions and allows 30 volunteer positions.

Alderman Caldwell moved, seconded by Alderman Moore, to approve the annual certification list of firemen as presented. The motion carried unanimously.

Update on Russ Avenue Corridor Study

Planning Director Paul Benson said the consultant has prepared a draft plan on the Russ Avenue Corridor Study. Mr. Benson is scheduled to meet with a representative of the NC Department of Transportation tomorrow to share the draft plan with them since Russ Avenue is a State road. Another public workshop is planned later this month or early February. It is felt that this may be a TIP Project since NCDOT may not have the funds to implement the plan at the present time. The plan calls for rear access roads, roundabouts and realignments at intersections. Joe Taylor asked if the plan was available for review. Mr. Benson said it was and he would get a copy for Mr. Taylor.

Board Retreat Scheduled for January 23, 2009

Town Manager Galloway reminded the Board of the retreat scheduled for January 23, 2009 at the Lake Logan Episcopal Center from 8:00 a.m. until 5:00 p.m. Manager Galloway distributed proposed changes and additions to the Greenhill Cemetery Rules and Regulations in order for the Board to have adequate time to review the revisions before the retreat.

Update on Police Department/Development Office

Manager Galloway said the Police Department/Development Office construction is still running about six weeks ahead of schedule with a completion date of June 16, 2009. The project has progressed very well even with some recent difficult weather conditions and a lot of work is being done on weekends. On Monday, January 19, brick work on the front of the building is scheduled to begin and sheet rock will be installed in the basement. There was a \$170,000 contingency for the project and, just as the architects discussed when renovating an older building, there have been some surprises and now only \$22,000 of the contingency funds is left remaining.

Alderman Caldwell said the rock work is beautiful. The rock work will extend along East Street and the old panels at the Police Chief's office will be covered. The brick on the back portion of the building will be painted to match the brick on the front of the building. There will be stucco on the side of the building joining Will Crook's building. The old single pane glass windows are being replaced at a cost of around \$20,000. Next week some of the concrete floor on the front

side of the building will be poured. Manager Galloway said if any Board Members would like to tour the project to let him know.

North Carolina League of Municipalities Meeting in Brevard

Manager Galloway said he plans to attend a NCLM Meeting in Brevard on Thursday, January 15 with Assistant Town Manager Alison Melnikova and Alderman Libba Feichter.

Alderman Roberson - Complimentary Recreation Center Passes

Alderman Roberson asked if the Board would consider giving complimentary recreation center passes to those people serving on the Town's various boards and commissions. Manager Galloway said he would look into this request and give the Board a report at a later meeting.

Taxicabs

Alderman Moore said he received a letter regarding taxicabs and he would like for this to be discussed at the upcoming retreat. Alderman Moore said it helps older people when they can have taxi drivers pick up their medications.

Planter at Riverbend and Brown Avenue Intersection

Alderman Moore said the planter at the Riverbend and Brown Avenue intersection at the Triangle Store causes an obstruction when trying to pull out. He spoke with Assistant Public Works Director Robert Hyatt and he said he could round the planter off if needed. Town Manager Galloway will ask Robert Hyatt to take a look at the planter.

Adjournment

With no further business, Alderman Caldwell moved, seconded by Alderman Moore, to adjourn the meeting at 8:30 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Gavin A. Brown
Mayor