

REGULAR MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
TOWN HALL
JUNE 9, 2009
TUESDAY - 7:00 P.M.

The Board of Aldermen held a regular meeting on Tuesday, June 9, 2009. Members present were Mayor Gavin Brown, Aldermen Gary Caldwell, Libba Feichter, J. Wells Greeley and LeRoy Roberson. Also present were Town Manager A. Lee Galloway, Town Clerk Phyllis McClure, Attorney Woodrow Griffin, Assistant Town Manager Alison Melnikova and Finance Director Eddie Caldwell. Mayor Brown called the meeting to order at 7:00 p.m.

Approval of Minutes of May 26, 2009

Alderman Caldwell moved, seconded by Alderman Greeley, to approve the minutes of the May 26 meeting as presented. The motion carried unanimously.

Public Hearing - Fiscal Year 2009-2010 Budget

On May 12, 2009, the proposed 2009-2010 fiscal year budget was presented to the Town Board by the Town Manager and Finance Director. Later that week, a legal notice appeared in the Mountaineer announcing that the budget had been presented and that a copy of the proposed budget was available at Town Hall for review by any interested citizen. Since the initial presentation, the Board has held three budget work sessions on May 18, 19 and 26. Both the Mountaineer and the Asheville Citizen-Times have carried articles about the budget proposal.

It has been the tradition following the public hearing on the budget for the Board to wait until the second meeting in June to formally adopt the budget. This gives management and staff the opportunity to make budget adjustments and changes which might result from the comments at the hearing. Manager Galloway said town staff is still working on recreation rates which will be presented to the Board next week.

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

Alderman Feichter said she is proud of this budget which was done with great care and understanding of this community. During these difficult economic times this budget maintains employees, did not have to cut salaries but could not give employees a raise. The level of service is continued that this community is accustomed to. Alderman Feichter expressed thanks to Finance Director Eddie Caldwell, Town Manager Lee Galloway and Assistant Town Manager Alison Melnikova.

Alderman Roberson said during his time on the Board he has grown used to the budget being made easy for the Board. He commended the previous boards for their planning and vision and for not drawing too much on the funds the Town has during better economic times.

Alderman Greeley said this has been an eye opening experience for him. He is amazed that the Town has been able to do all they have done. Alderman Greeley said he is most proud of the professionalism of Manager Galloway, Assistant Manager Melnikova and Finance Officer Caldwell. During this process he has been asking a lot of questions and they have been most responsive. The Town has been in such capable hands it makes the Board's job easier. During the most devastating economic times we are in extremely capable hands with the Town.

Alderman Caldwell also commended the Town's department heads for being such good stewards of the Town's funds and what they do to save money for the Town's taxpayers.

Mayor Brown said the Town has a five-year Capital Improvement Plan program which shows the current year, next year and the next five years. Mayor Brown said this is the first year since he has been on the board that town employees have not been given a raise. The Town's greatest asset is the employees. This budget is not just a random list of numbers. When the State of North Carolina enacts their budget, Waynesville will know what they need to do. Mayor Brown added that the Town of Waynesville is in good financial shape.

No action was taken. This item will be placed on the agenda of June 23.

Ms. Sharon Walls - Sign Ordinance Regulations

Ms. Sharon Walls requested time on the agenda to express her opinions on the Town's sign ordinance regulations. Mayor Brown said he has spoken with Ms. Walls on the telephone several times and recommended that she and her husband attend the meeting tonight.

Ms. Walls said she and her husband have owned the Beau Monde' Salon and Spa for the past twenty years. This business began in 1963. Two and one half years ago, they decided to expand and move their business to a new location, seeking the advice of the Town and complying with all restrictions, even when they did not understand why they were necessary and considered them excessive.

Ms. Walls asked to address the sign ordinance and its enforcement. She said they had a professionally designed sign made to notify the public of when their massage therapist was on duty. The sign was removed when she was off duty, and was not left out overnight. A Waynesville employee came to their business and asked that the sign be removed because it was not in compliance with the Town's sign restrictions. They removed the sign. However, they noticed that other signs were not removed on either side of them. The only signs removed were their sign and the Village Café directly across the street. They waited two weeks and when the other signs were not removed, they replaced their sign. Then an employee of the Town came unannounced and confiscated their sign. Her husband went to the Town office to retrieve the sign and inquire as to why their sign and the one across the street were the only ones removed. He was told that their signs were the only ones that were seen. Ms. Walls presented photographs

of several temporary signs throughout Waynesville. She asked why they could not advertise with their sign if other businesses within the city limits were allowed to do so. Ms. Walls said the sign ordinance should be modified to allow temporary signs and then enforced uniformly throughout Waynesville. Ms. Walls added that she speaks for all small businesses and felt that with the economy today, more should be done to promote small businesses.

Mayor Brown said you have to consider how to handle temporary signs in order to be fair. Alderman Feichter said sometimes there are so many temporary signs posted that you get used to seeing them. Alderman Caldwell said the Land Use Plan is being reviewed now and this includes the sign regulations.

Ms. Walls said all they want is to be treated fairly and would like for the ordinance to be modified to be more business friendly. Alderman Feichter asked if she had any suggestions for a good compromise. Ms. Walls said she felt that all businesses should be allowed to have one temporary sign. She said it is difficult to come in as a new business without extra advertising such as temporary signs. Ms. Walls added that she doesn't want to pick on other businesses. She just wants the ordinance to be enforced uniformly. Ms. Walls asked if her sign could be displayed until the issue has been reviewed and any recommended changes have been made. Mayor Brown said that would not be possible. If any exception is made for her sign, it would need to be made for everyone.

No action was taken.

Water Shortage Response Plan Revisions

During the meeting of April 14, Public Works Director Fred Baker appeared before the Board to explain the revisions and changes in the Town's Water Shortage Response Plan. At that time, a public hearing was held to give citizens the opportunity to comment on the Plan. Announcements soliciting public comment had appeared in the local media sources as well as on the Town's website. In addition, a notation was added to all utility bills sent out.

Under State law, the Town must give a minimum of a 30-day review period for adoption of the Plan. This was done at least 30 days prior to the public comment advertised for the April 14 meeting. Following the hearing, it was Mr. Baker's recommendation that the Plan lay open for a period of time to allow additional comment. It was also requested that the Plan be approved so that the Town may submit the plan to the State prior to June 30, 2009.

The Town of Waynesville has had a water shortage response plan in place for several years, and the first time it was necessary to implement the plan was during 2008. At that time, a drought which had been ongoing for three years led to a noticeable drop in the level of the Town's reservoir at the head of Allens Creek. Going through the experience of implementing the steps called for in the plan led Mr. Baker to realize that some amendments were desirable to the plan.

Mr. Baker also submitted the Water Shortage Response Plan to the State of North Carolina for their review, and in a letter dated May 22, 2009, the Division of Water Resources indicates that the Plan meets the minimum criteria established by State statute.

Alderman Feichter moved, seconded by Alderman Roberson, to adopt a resolution approving the Water Storage Response Plan as presented. The motion carried unanimously. (Res. No. 9-09)

Resolution Accepting and Endorsing Haywood County's Solid Waste Management Plan

For approximately 20 years, the State of North Carolina has required that local governments give adequate attention to the collection and disposal of solid waste in their communities. This is more than simply a cursory review of the way waste is collected but extends to the capacity of the landfill where waste is buried and to the general protection of public health and the environment. The local governments are to adopt a ten-year comprehensive solid waste management plan and make an honest effort to achieve a 40% reduction in the volume of the waste stream.

The State law requires that at least every three years, the local governments will review and update the Solid Waste Management Plan. There is a Solid Waste Planning Committee which works with Haywood County Solid Waste Director Stephen King to undertake this review and make updates. The Town's representative on that committee is Public Works Director Fred Baker, and this Committee has been meeting and conducting their review.

A portion of the requirement is every local government, either individually or in cooperation with other local governments, makes the review and updates. As the Town of Waynesville participates with other local governments in Haywood County, it is requested that the Town Board adopt a resolution accepting and endorsing the Solid Waste Management Plan for Haywood County.

Mayor Brown said it is important that residents recycle because it saves the county money. Alderman Feichter said she is impressed with Stephen King and what he has done as Solid Waste Manager in Haywood County. Alderman Feichter added that anything Waynesville can do to make his job easier should be done. Mayor Brown said it takes time to educate the public on issues such as recycling. Alderman Feichter said young people are more aware of recycling than older people and it is important that we all get involved and educated.

Public Works Director Fred Baker said the Solid Waste Management Plan is discussed about every three years and does tend to look at recycling. Haywood County markets the recycling materials except for yard waste.

Manager Galloway said recycling for Waynesville residents could not be simpler. They put all their recycling in blue bags for pick up by Waynesville. The items do not have to be separated. The real savings is to keep the material out of the landfill.

Mayor Brown asked if Waynesville paid a tipping fee for recycling. Public Works Director Fred Baker said there is no tipping fee, but the material is expensive to haul.

Alderman Feichter moved, seconded by Alderman Greeley, to adopt a resolution accepting and endorsing the Solid Waste Management Plan of 2009 for Haywood County. The motion carried unanimously. (Res. No. 10-09)

Request From Sarge's Animal Rescue Foundation

A letter was received from SARGE'S Animal Rescue Foundation seeking the Town's approval for the 4th Annual Downtown Dog Walk in Waynesville on Saturday, August 8, 2009.

Manager Galloway said in talking with the Waynesville police department, it is believed that closing the streets for a very brief period to allow the dog walk can be accomplished without the necessity of overtime for law enforcement officers. This is an issue we will have to be particularly concerned about during a very tight budget year which we are anticipating in 2009-2010.

This event has been held in previous years and went smoothly. The route for the walkers and their dogs will be from the Court House to Depot Street to Montgomery Street to Church Street to Main Street and back to the Court House. The walk will begin at 10:00 a.m.

Alderman Greeley moved, seconded by Alderman Caldwell, to approve the request to temporarily close the streets requested. The motion carried unanimously.

Stimulus Funding

Assistant Town Manager Alison Melnikova said Waynesville did not make the first rounds of applying for stimulus funding. Another application has been submitted and the Town is waiting to see if approval has been given for stimulus funding to replace a water line at Dayton Drive with a total project cost of \$904,000. Manager Galloway said the project can be financed for a twenty-year period with a no interest loan.

Manager Galloway said Waynesville is asking for State funds to replace the 1992 Ford Mustang DARE vehicle with 200,000 miles on it. Application is being submitted by the Police Department to the federal government for funding under the American Recovery Act. These funds would be used to hire additional police officers and would be paid for a period of four years. After that time, the Town would have to absorb the cost of keeping these four officers. One of the requirements in applying for stimulus money is to make a public announcement that the Town is seeking such funding.

Hendrix Street Bridge Project

Manager Galloway said the Town had to secure a number of properties for right-of-way for the sidewalk installation. Access was needed across a lot where the Dayco once had their pump station. The property remained in Dayco's name and taxes had not been paid since 1999. The taxes were less than \$400 and an agreement was reached for Waynesville to pay the delinquent taxes and in return they would own the property. The property is valued at \$2,400. An easement is needed in order for Progress Energy to relocate lines on the property.

Alderman Feichter moved, seconded by Alderman Roberson, to approve the purchase of the property from Dayco by paying the delinquent taxes owed.

Alderman Roberson moved, seconded by Alderman Greeley, to approve the easement for Progress Energy to relocate the lines on the property. The motion carried unanimously.

Update on Police/Development Office Construction

Manager Galloway said carpet is being installed in the basement area, the interior has been painted and cabinets have been installed. Furniture has been ordered and wiring for telephones and data system is underway. The estimated completion date is July 8. However, the contract is through July 31. By the August 11 meeting town staff may be moved in the new building.

Dayton Drive Water Line

Manager Galloway said there was a meeting last Friday with a representative of McGill Associates and the Maggie Valley Sanitary District. Plans have been revised by McGill for the Dayton Drive water line to tie the water system together in this area. Junaluska Sanitary District has an 8" water line that runs to Queen's Farm, but they only have five customers on this line.

Eagle Nest Water Line Project

Construction on the Eagle Nest Water line project is scheduled to begin Monday. Attorneys Steve Martin and Woodrow Griffin have developed an escrow agreement in order for the money from the homeowners association to be turned over to the Town to invest for a ten-year period.

Land Development Standards Review

Manager Galloway said the Lawrence Group has met twice with the committee that was appointed to review this document. Over the next three to four months the document will be reviewed and recommendations will be presented to the Board after that time.

Adjournment

There being no further business, Alderman Caldwell moved, seconded by Alderman Greeley, to adjourn the meeting at 8:05 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Gavin A. Brown
Mayor