

AGENDA
SPECIAL MEETING
BOARD OF ALDERMEN
TOWN OF WAYNESVILLE
TOWN HALL - 9 SOUTH MAIN STREET
FEBRUARY 15, 2010
MONDAY - 7:00 P.M.

The Board of Aldermen held a special meeting on Monday, February 15, 2010. 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, Assistant Town Manager Alison Melnikova, Town Clerk Phyllis McClure and Town Attorney Woodrow Griffin. Mayor Brown called the meeting to order at 7:00 p.m.

Approval of Minutes of January 26, 2010

Alderman Caldwell moved, seconded by Alderman Greeley, to approve the minutes of the January 26, 2010 meeting as presented. The motion carried unanimously.

Public Hearing - Amendment to Section 154.308(F)(3) to Permit Larger Signs for Subdivisions and Multi Family Developments in the South Waynesville Neighborhood District

An amendment to Section 154.308(F)(3) was requested by the developers of the Vantage Pointe Homes which is located between the Great Smoky Mountain Expressway and Old Balsam Road and just to the south of Autumn Care. Vantage Pointe Homes is a 160 unit apartment complex on a 12-acre tract of land which opened in the Fall of 2009.

At present, the sign ordinance permits signs for residential developments but limits the maximum size to 16 square feet and the maximum height to 6 feet. Vantage Pointe applied for a change in the ordinance to allow signs that are 112 square feet and 8 feet in height.

The Land Development Standards, including the Sign Ordinance, are currently under review by a Committee, and a Planning Consultant has been hired to oversee changes to the Standards. In discussing this with the Planning Board on December 21, Planning Director Paul Benson noted that while the Committee has not yet seen or discussed the revisions to the Sign Ordinance by the Consultant, there will be a recommendation that master development signs for projects more than 10 acres might be up to 160 square feet and up to 25 feet high.

On the basis of the preliminary recommendation from the consultant and in view of the high vehicle speeds along the Smoky Park Expressway, Planning Staff recommended approval of the requested change to 112 square feet and a maximum of 8 feet high; however, he suggested limiting it to sites of 10 acres or more that front on the U. S. Route 23/74 Bypass. This would only apply to the South Waynesville Neighborhood District. The Planning Board unanimously approved a recommendation to the Mayor and Aldermen to allow the change.

Attorney Griffin opened the public hearing.

Tryna Lynch, representing Vantage Pointe Homes, presented a conceptional drawing of the sign they would like to display for their development. Ms. Lynch said this larger sign is requested on this highway in order for it to be visible to traffic traveling at 55 miles per hour. Ms. Lynch said 65 units out of 100 have been rented to date. A grand opening is scheduled for April 2010 and the Mayor and Board of Aldermen are invited to attend.

Attorney Griffin closed the public hearing.

Alderman Feichter moved, seconded by Alderman Roberson to adopt an ordinance to amend Section 154.308(F)(3) as presented and recommended by the Planning Board. The motion carried unanimously. (Ord. No. 1-10)

Resolution Regarding Hazardous Mitigation Consolidated Plan

Several years ago, the Town of Waynesville worked with a consulting firm on the development of a Hazardous Mitigation Plan for the incorporated areas of Waynesville. Other municipalities in Haywood County had their own plans as well, and Haywood County had a separate plan for the unincorporated areas. These plans were required by State government in order for the local governments to receive state public assistance funds in hazardous mitigation matters.

The various municipalities and the County government have discussed the possibility of placing all Hazardous Mitigation matters under one office in the county, the Office of Emergency Management. This should result in a greater efficiency in the management of these matters and reflects a greater sense of cooperation that exists between various agencies in Haywood County today. In addition, funding agencies at the State level prefer to deal with one entity within a county, not five separate governmental units. Manager Galloway said perhaps Waynesville's opportunities for various grants will improve with a larger, merged operation.

For these reasons, it is recommended that the Town Board pass the resolution seeking the approval of the County Commissioners to allow Waynesville to merge its Hazard Mitigation Plan with Haywood County's Hazard Mitigation Plan. Other municipalities in the county have already passed such resolutions or will be doing so soon.

Alderman Wells moved, seconded by Alderman Caldwell to adopt a resolution to seek approval of the Haywood County Commissioners to allow Waynesville to merge its Hazard Mitigation Plan with Haywood County's Hazard Mitigation Plan. The motion carried unanimously. (Res. No. 1-10)

Request to Rescind Ordinance No. 7-03 Branner Avenue Parking Regulations

In March 2003, the Town Board passed Ordinance No. 7-03 which amended parking regulations with a specific application to one parking space on Branner Avenue. At that time, there was a beauty shop which operated at 166 Branner Avenue. Many of the clients of the beauty shop

were delivered to the shop by vehicle and then, collected after having their hair done. So a request was received for a passenger loading zone with a five minute time limit.

Today, the beauty shop is gone and a law office is located at 166 Branner Avenue. Recently, Mr. Derek Wenzel, attorney, on behalf of the owners of the building, Frederick G. Wenzel and Judy Wenzel, submitted a request that the ordinance be rescinded and the passenger loading zone with the five minute time limit be eliminated. In addition, to assure proper site distance for the driveway next to 166 Branner Avenue, Mr. Wenzel feels that all parking should be prohibited in that space and that the space be so marked as to show that parking is prohibited. Town staff agrees with Mr. Wenzel's request to halt the use of that space as a passenger loading zone.

In addition, town staff agrees with Mr. Wenzel's observation that by allowing any vehicle to park in this particular parking space, it creates a safety problem for vehicles accessing Branner Avenue from the driveway next to the building at 166 Branner Avenue. Drivers are not able to see so that they may safely enter Branner Avenue. In order to do this, an ordinance would be necessary to prohibit parking.

Alderman Feichter moved, seconded by Alderman Roberson to adopt an ordinance to rescind Ordinance No. 7-03 and to designate this space as "No Parking" and that a sign be installed to designate the space on Branner Avenue as "No Parking." The motion carried unanimously. (Ord. No. 2 -10)

Award of Bids - Water Line Construction Dellwood Road/Mauney Cove Road

On Tuesday, January 26, 2010, bids were opened on the first portion of the project to be partially funded by the American Recovery and Reinvestment Act (ARRA). This portion involved the replacement of a 6-inch concrete asbestos water line on Dayton Drive, behind Ammons Drive-in, with a larger, 10 inch water line and crossing Route 19 and continuing to the entrance of Ivy Hills. In addition, the project calls for the replacement of more than 1,000 feet of two inch water line with eight inch water line on Mauney Cove Road.

Bids were received from 11 firms, an unusually high number and no doubt indicative of the lack of work available at the present time. The bids ranged from a low of \$313,626.50 from WNC Paving, Inc., of Waynesville to a high of \$560,150.00 from BPI of Arden. The base bid amounts were as follows:

<u>Bidder</u>	<u>Base Bid Amount</u>
WNC Paving, Inc.	\$313,626.50
Spur Construction	\$324,214.30
Cooper Construction	\$333,008.00
Davis Grading, Inc.	\$353,643.80
Patton Construction Group, Inc.	\$357,950.00
T & K Utilities	\$362,920.00
Carolina Specialities Construction, LLC	\$385,050.00
Terry Brothers Construction	\$416,630.00

Buckeye Construction	\$428,082.00
Huntley Construction Co.	\$445,174.00
DPI Construction	\$560,150.00

McGill Associates has reviewed the bids to assure that the math calculations are correct and the quantities meet specifications, and they have recommended that the bid be awarded to the low bidder, WNC Paving, Inc., in the amount of \$313,626.50.

Alderman Roberson moved, seconded by Alderman Feichter, to award the bid to WNC Paving, Inc., as recommended in the amount of \$313,626.50. (Cont. No. 2-10)

Award of Bids - Miscellaneous Water Line Replacement and Installation of Water Meters

The second portion of the project that should receive funding under the American Recovery and Reinvestment Act will replace approximately one mile of deteriorated water lines in various parts of the Town’s system. In addition, funds are provided to replace approximately 1,000 water meters, with the intention of going to an automated meter that will be read from the vehicle rather than on a house to house basis.

The pre-bid conference was held on Tuesday, February 2, 2010, and a large number of prospective bidders attended. The bid opening was held at 2:00 p.m. on Thursday, February 11 and bids were received as follows:

<u>Bidder</u>	<u>Base Bid Amount</u>
Cooper Construction Co., Inc.	\$442,307.00
Patton Construction Group, Inc.	\$442,600.00
Buckeye Construction Co., Inc.	\$511,356.00
Carolina Specialties Construction, LLC	\$573,280.00
W. N. C. Paving, Inc.	\$610,376.00
Spur construction, LLC	\$628,872.90
BC&D Associates, Inc.	\$701,200.00
Terry Brothers Construction	\$814,645.00

McGill Associates has reviewed the bids to make sure that the bids meet the specifications and that the firm has met the qualifications. They have recommended that the bid be awarded to the low bidder, Cooper Construction Co., Inc., in the amount of \$442,307.00

Alderman Caldwell moved, seconded by Alderman Roberson, to award the bid to the low bidder as recommended by McGill Associates to Cooper Construction Co., Inc., in the amount of \$442,307.00. The motion carried unanimously. (Cont. No. 3-10)

Resolution - Designation of Applicant’s Agent

The winter storms of December 18-25, 2009, resulted in a Disaster Declaration by Governor Perdue and the Federal Emergency Management Agency (FEMA). As such, the Town of

Waynesville will be able to apply for some reimbursements for the expenses which have been incurred as a result of the storm. The rules are somewhat strict in what the federal government may reimburse and what is not reimbursable. Manager Galloway and Assistant Manager Melnikova have been attending meetings with FEMA and other agencies in the county to discuss reimbursements, but there are still some unanswered questions about the process and the costs for which the Town can seek funding.

Manager Galloway explained some of the items that qualify for reimbursement. For example, the substation suffered approximately \$30,000 in damages, however the only amount that would qualify for reimbursement is the \$5,000 deductible. Snow removal does not qualify for reimbursement, but overtime and equipment to remove debris such as tree limbs does.

One of the first steps in this process is for the Board to designate a primary agent and secondary agent to represent the Town in signing these applications for disaster reimbursement. It was recommended that the Board name the Town Manager as the primary agent and the Assistant Town Manager as the secondary agent on this disaster project.

Alderman Feichter moved, seconded by Alderman Greeley, to adopt a resolution designating Town Manager Lee Galloway as primary agent and Assistant Town Manager Alison Melnikova as secondary agent to represent the Town in signing applications for disaster reimbursement. The motion carried unanimously. (Res. No. 2-10)

Appointments to Community Input Committee

At the Town Board's Annual Planning Retreat on January 29, 2010, Police Chief Bill Hollingsed explained the recent grant that the Town received from the federal government resulting in two additional officers on the Town's force. One of the requirements of that grant was that the Town establishes a Community Input Committee to provide the department feedback from various sections of the community. Chief Hollingsed noted that the Committee they would like to create would have 14 members, with each member of the Town Board and the Town Manager appointing one member each. The Downtown Waynesville Association and the Historic Frog Level Merchants would each have an appointment to the Committee and the Police Department would have six appointments which are intended to provide diversity and balanced representation on the committee.

It was the consensus of the Board to place this matter on the agenda for the meeting on February 23. No action was taken.

Report by Town Manager Regarding Move of Finance Department to Hazelwood Office

Manager Galloway said a meeting was held today with Architect Randy Cunningham to discuss the Hazelwood Office at 280 Georgia Avenue and needed improvements to the building before the Finance Department can relocate there. Mr. Cunningham will prepare a proposal for the Town to consider. Manager Galloway and other town staff visited the building last week to look at the items to be addressed such as replacement of carpeting, widening and replacement of counter tops and increased security. A second drive thru with a payment tube is also planned. It

was recommended that any changes made to the outside area of the building should complement the other buildings in Waynesville, with additions such as stacked stone on the columns. It is hoped that the project can be put out to bid and construction complete so that the Finance Department can move into the building during July 2010. The Hazelwood building will be closed during this construction.

Report Regarding Old Armory

During the recent retreat one of the items discussed was the Old Armory, and various options were discussed on ways to use the building more efficiently. Since the retreat there has been some misinformation circulating that the Armory will be closed. After hearing from some Parks and Recreation Advisory Commission Members, Mr. Galloway prepared a letter trying to explain that the Board did not decide to close or sell the facility, but they were looking at several options on ways to use the facility more efficiently.

Upcoming Ethics Training for Board Members

One of the sessions for the required Ethics Training for Board Members will be held in Waynesville on April 13. Alderman Greeley will be attending the Ethics Training in Asheville at the end of February during the Essentials of Municipal Government Training, but other Board Members should plan to attend the session in April.

Upcoming Events

Manager Galloway will be attending the Pigeon River Fund Meeting on Wednesday, February 17. The following Thursday he will be attending a meeting in Raleigh.

Assistant Town Manager Alison Melnikova and Alderman LeRoy Roberson will attend a luncheon for the Commission for a Clean County on Wednesday, February 17. Mayor Brown will be unable to attend.

Adjournment

With no further business, Alderman Roberson moved, seconded by Alderman Feichter, to adjourn the meeting at 7:58 p.m. The motion carried unanimously.

Phyllis R. McClure
Town Clerk

Gavin A. Brown
Mayor