

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

CALL TO ORDER

ITEM 1. APPROVAL OF MINUTES OF DECEMBER 11, 2007

ITEM 2. PUBLIC HEARING  
AMENDMENT TO SECTION 154.112(D)  
REGARDING ANIMAL SHELTERS IN HALL TOP RURAL DISTRICT

During October and November, there were a few intense hearings before the Town Board regarding proposed changes to the “permitted uses” chart in the Hall Top Rural District. The Sarge’s Group, an organization interested in the humane treatment of animals came to the Board in October asking that the table of permitted uses be amended to allow animal shelters in the Hall Top Rural District. The Town Board, thinking that the proposed change was acceptable to the neighborhood, granted approval to the change.

In November, a group of individuals owning property and residing in that neighborhood came to the Board to ask that the change be rescinded. The Town Attorney explained that the Board could not simply rescind the action, that the ordinance had been changed and the only way to “undo” what had been done would be to repeat the process and seek a different result from the Planning Board and Town Board. This meant going through a new series of public hearings.

The Town Board directed that the matter go back through the process and have a new hearing before the Planning Board. That issue went back to the Planning Board at their meeting in November. At that time, the Planning Board recommended that Permitted Use Table remain the same, with animal shelters permitted in the Hall Top Rural District; however, they did recommend that rather than being automatically permitted, animal shelters should be permitted as a conditional use. In that situation, an animal shelter might be allowed in the Hall Top Rural District, but there would be a longer process and conditions would be established which the shelter would have to meet in order to locate in that district.

ITEM 3. ANNEXATION REPORT BY TOWN CLERK  
244 ACRES OFF PHILLIPS ROAD AND HALL TOP ROAD

At the December meeting of the Town Board, a petition was received for the annexation of 244 acres between Phillips Road and Hall Top Road, north of the U. S. Route 23/74 By-Pass. At that time, the Board passed a resolution directing Town Clerk Phyllis McClure to investigate the sufficiency of the petition.

Ms. McClure has conducted that investigation and found that it meets the requirements of the State Statutes. She notes that the petition included a very small piece of property on the east side of the Bypass at the end of Frazier Street; however, records indicate that this piece of property is already inside the corporate limits.

Should the Board wish to continue consideration of this annexation petition, the next step would be for the Board to adopt a resolution calling for a public hearing on the annexation of the property. Such a hearing could be held at the next Board meeting on January 22.

ITEM 4.           CONSIDERATION OF ORDINANCE OF CONDEMNATION  
                    9 ANESSA KAY LANE OFF YARBOROUGH STREET

During the summer, the Town became aware of a situation at 9 Anessa Kay Lane in which a home was in very poor structural condition. Code Enforcement Officer Warren Putnam made a visit to the property and began the process of addressing minimum housing standards on the property. Mr. Putnam has found that there are extensive water leaks within the walls and underneath the floor of the house and that raw sewage is running underneath the structure.

Hearings were held with the property owners and an "Order to Repair" issued by the Code Enforcement Officer, with a deadline for the repairs of September 29, 2007. In his follow up inspections, Mr. Putnam found that nothing had been done to correct the situation, and his next step is to ask the Town Board to adopt an ordinance condemning the property. Mr. Putnam will be on hand Tuesday evening to discuss the matter.

ITEM 5.           RESOLUTION REGARDING INSTALLMENT FINANCING FOR  
                    TWO GARBAGE TRUCKS AND ONE ELECTRIC POLE TRUCK

Several months ago, the Town Board approved the purchase of a new pole truck for the Electric Department. During the fall, the Town Board tentatively approved a recommendation from Town Staff that the Town switch to front loading commercial garbage trucks.

The pole truck is expected in the next 60 days and we will need to have funds arranged to pay for the truck. On December 19, 2007, the Purchasing Department opened bids on supplying two front loading commercial garbage trucks. When they opened bids, they received 17 different proposals, with one bidder offering four different truck models. Prices ranged from \$362,000 to \$412,000 for the two trucks, and we had used an estimate of \$380,000. This is a very competitive bid process, and the Public Works Staff needs a little more time to evaluate the different bids. They plan to have a recommendation on the two trucks for the Board's agenda on January 22.

Also on December 19, the Finance Department opened bids on the installment financing on the three trucks. In asking for proposals, Finance Director Eddie Caldwell used the amount of \$570,000 for the trucks, and he asked for a five year loan period. There were seven proposals from six different financial institutions, and the bids were highly competitive as you will see on the enclosed bid tabulation sheet.

In evaluating the proposals, the Finance Director has calculated the total outflow of funds the Town would have to make. Sometimes, because of special fees, the lowest interest rate is not necessarily the proposal that will result in the lowest outlay of funds. In this case, though, it appears that the lowest interest rate offered, 3.03%, by RBC Centura, is also the one which results in the lowest cash outflow, \$621,571.65. We would recommend that the proposal of RBC Centura be accepted.

ITEM 6. MIA BAILEY, ELECTRICITIES

Ms. Mia D. Bailey, Grassroots/Legislative Coordinator with ElectriCities, plans to attend the Board meeting on Tuesday evening. She may have a few comments about the organization and the relationship with the municipalities and other entities which belong to ElectriCities. As she is the liaison with the General Assembly for electric related issues, she may also have some comments about the upcoming session of the General Assembly which will commence in May.

Prior to the meeting, Ms. Bailey would like to take pictures of a few of the Town officials that she did not take when she last visited. I know she wishes to have a picture of Dr. Roberson and there may be some administrative personnel who she would like to have for the ElectriCities Directory. You might be prepared to have your picture taken on Tuesday evening.