

REGULAR BOARD MEETING of March 1, 2000, with Mayor Buck Trott and Commissioners Amy Patterson, Zeke Sossomon, and Mike Cavender present. Comm. Sanders was absent due to illness; Comm. James was out of Town.

Also present were Richard Betz, Lamar Nix, Maureen Lackey, Jerry Cook, Selwyn Chalker, Kim Lewicki, Eric Pierson, Bob Wright, Mindy Green, Sue Potts, Dennis DeWolf, Alan Marsh, Rosemary Fleming, John Cleaveland, Tom Clark, Clem Patton, Tammy Lowe, and Mary Berry.

I. Call to Order.

Mayor Trott called the meeting to order at 7:00 p.m.

II. Approval of Agenda.

Copies of the agenda had been distributed by mail. The Clerk asked that the following items be added to the agenda:

- Eric Pierson--discussion of Planning Board issue
- Extend moratorium on Wireless Communications.
- Macon County Budget Request.
- Cancel March 15 meeting.
- Discussion of acquisition of property in Closed Session.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO APPROVE THE AGENDA AS AMENDED.

III. Approval of Minutes.

The minutes of the February 16 Regular Board Meeting had been distributed by mail.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO APPROVE THE MINUTES AS DISTRIBUTED.

IV. Reports.

1. The Mayor reported that he had attended a two-day meeting at Macon Program for Progress; he had spoken to the need for an expansion of the Head Start program in Highlands. He also reported that the 2000 Census would be taken next month; David Rohrer was coordinating local efforts to recruit census takers. He reported that he would be attending Governor Hunt's summit on litter to be held in Clyde on March 3. He also reported that the Board had met informally with the County Board of Commissioners in Franklin on February 28; the Commissioners had scheduled their next regular meeting in Highlands on April 3 at 9:00 a.m. at the Conference Center.

2. Each Board member had received the Public Services Administrator's written report for the month. Lamar Nix was present and reviewed the report with the Board. He also reported that the grading and drainage phase of the Spring Street project was nearing completion.

The Mayor asked about new dogwood trees that were being planted to replace those that had not survived on Main Street. It was agreed that concrete curb stops should be placed in front of the trees to protect them from cars.

3. Each Board member had received a copy of the Police Chief's written report for the month, as well as an annual report compiling data from 1988 through 1999.

Comm. Patterson asked about the policy on clearing debris after an accident. Chief Cook was present and explained that this was the responsibility of the wrecker driver; he agreed to call and ask the

driver to clear remaining debris from a recent accident on US-64. Comm. Patterson was also concerned about construction vehicles which had recently been parking on Pine Street, and Chief Cook agreed to look into the matter.

4. Each Board member had received a copy of the Recreation Director's written report for the month. Selwyn Chalker was present and reported that the wading pool was almost ready for installation of decking.

5. Each Board member had received a copy of the Town Planner/ Zoning Administrator's report for the month. Maureen Lackey was present and reviewed the report with the Board.

Ms. Lackey also reported on an application for a \$5000 Adopt-A-Trail grant that she had discussed with the Planning Board at its February 28 meeting for the purposes of improving the Greenways Trail; the grant had no match, and funds would be available in early 2001 if approved. Another grant would become available in October on a 20/80 match basis. She asked for permission to proceed with the \$5000 grant application and begin prioritizing needs.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO APPROVE THE GRANT APPLICATION.

6. Each Board member had received a copy of the Treasurer's Report for the month.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO ACCEPT THE TREASURER'S REPORT.

7. Town Administrator Richard Betz reported that he had written letters to Congressman Taylor, Senator Helms, and Senator Edwards concerning the so-called "internet" tax, pursuant to the last meeting; he had included a copy of the letter in the agenda package. He also reported that he had spoken with State officials concerning enforcement of the Macon County Watershed Protection Ordinance, and had been told that they would be meeting with County officials in the first or second week of April.

V. Old Business.

1. John Cleaveland was present with a subdivision plat indicating the proposed location of a cul-de-sac in Bob Morris's Satulah Vista Subdivision, as discussed at the January 5 meeting; the cul-de-sac was located on Lot 5-A, and would consist of a 50' X 60' rectangle which met the approval of the Town Engineer as far as permitting a fire truck and garbage truck to turn. A pull-off was also shown half-way up the extended road. Mr. Cleaveland also submitted an estimate from Bob Morris of \$2300 for the additional cost of grading, and he said that Mr. Morris would be forwarding a check in that amount; the cost of paving had been included in the \$14,400 already received. Upon approval by the Board of the location of the cul-de-sac, he would have the subdivision plat amended and recorded again, the agreement would be signed, and the funds would be forwarded to the Town Attorney.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO APPROVE THE LOCATION OF THE CUL-DE-SAC.

VI. New Business.

1. Comm. Cavender reported that the Parking Committee appointed by the Board on December 15 had met three times and agreed on several recommendations; each Board member had received a copy of a written report dated March 1 entitled "Downtown Parking Management." The report recommended adoption of an Ordinance that would prohibit parking by business owners and their employees on Main Street between Second and Fifth Streets and on Fourth Street between Pine and Spring

Streets, from May 1 through October 1. It also recommended designating all of the spaces in the center of Main Street between Third and Fifth two-hour parking spaces, and adding more unspecified 15-minute parking spaces on Main Street and Fourth Street. Comm. Cavender recommended retaining the Parking Committee to meet on a monthly basis to evaluate the effectiveness of the parking management regulations implemented by the Board.

Comm. Sossomon asked if the Ordinance would be legal. Ms. Lackey replied that she had consulted with Town Attorney Bill Coward and both Rich Ducker and Ben Loeb at the Institute of Government, and they had agreed it would be legal. The D. O. T. District Engineer had also stated that a concurring ordinance would not be required.

She also reported that a similar ordinance was in effect in Americus, Georgia, which had apparently addressed the problem successfully.

Chief Cook reported that he believed the Ordinance could be enforced by two part-time employees reimbursed at an hourly wage of \$7.00; they would not have to be Law Enforcement certified. He added that enforcement would rely to a great extent on the cooperation of business owners.

Bob Wright was present and asked about part-time employees like himself, who only worked two or three days per week; would they get ticketed for violating the Ordinance? Ms. Lackey said the Committee had suggested issuing parking stickers to help identify violators.

The Mayor asked how the two-hour parking would be designated. Town Engineer Lamar Nix suggested placing signs in the four tree planters and also stencilling the pavement.

MOVED BY COMM. CAVENDER, SECONDED BY COMM. SOSSOMON, AND UNANIMOUSLY CARRIED TO APPROVE THE REPORT, PROCEED WITH THE TIMED PARKING WHERE RECOMMENDED, AND AUTHORIZE THE ZONING ADMINISTRATOR TO DRAFT A PARKING ORDINANCE.

Mindy Green, owner of Wolfgang's on Main, was present and stated that she would be thrilled to see the Ordinance go into effect.

2. The Board discussed at some length a requested Resolution of Support of Water Supply Studies and Water Management Planning for the Upper Cullasaja River Watershed. Copies of an Ordinance adopted by the Macon County Board of Commissioners on February 7 had been distributed, and it was suggested that the Board adopt an identical resolution.

Clem Patton was present from the Upper Cullasaja Watershed Association; he explained that the goal of the UCWA was to gather information on water supply on the Highlands plateau and make recommendations on how to best manage water resources. The resolution would facilitate grant applications for studies in the watershed by demonstrating recognition by the Town and affirming that the UCWA was serving the public interest.

Comm. Sossomon said that he supported efforts to study the watershed, but he was concerned that adopting the resolution might mean that the Town would be accepting the recommendations of the UCWA. He asked, for example, what would happen if the Association opposed the Town's plans to expand its Wastewater Treatment Plant.

Comm. Patterson said that she had reservations as well. While she had no problem with the general concept, she pointed out that a lot of organizations claimed to be serving the public interest; she was not willing to cede responsibility for the watershed to a group that was not elected by the citizens.

Comm. Cavender said that he had no problem with the resolution. He felt the studies would provide an invaluable resource for planning, and he did not interpret it as meaning that the Town would be bound by the recommendation.

Bob Wright was present, and emphasized that the UCWA only wanted support and recognition for studies at this point; he invited the Board to re-word the resolution.

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO ADOPT A RESOLUTION THAT BROADLY SUPPORTS THE EFFORTS OF THE UPPER CULLASAJA WATERSHED ASSOCIATION TO STUDY THE WATERSHED.

It was agreed that the Town Administrator would re-draft the resolution and circulate it among Board members for approval.

3. Each Board member had received a letter dated March 1 from W. K. Dickson Co. consulting engineer Victor Lofquist, outlining the steps and preliminary cost estimates for expanding the Wastewater Treatment Plant. Mr. Lofquist was present and he reviewed the letter with the Board in detail. He explained that, considering the possible addition of the package plants flows discussed recently, flow could increase to 70% to 80% of plant capacity of 0.5 MGD; the Division of Water Quality recommended commencing expansion planning when a plant reaches 80% capacity. Due to an aggressive I & I program, the Town had been able to extend the 10-year design life of the Plant, but now was the time to begin the process of expanding the plant.

He then reviewed the procedures for filing for NPDES and ATC (Authorization to Construct) permits, which was estimated to take 44 months from beginning to completion. An Environmental Assessment and Alternatives Assessment would also be required. He said that there was adequate space at the facility to expand to either 1.0 MGD or 1.5 MGD; there might be significant economy-of-scale savings with the 1.5 MGD expansion, but the Town would have to substantiate the expansion to the Division of Water Quality on grounds other than economic. The estimated costs were \$3,077,300 for the 1.0 MGD expansion, and \$4,149,600 for the 1.5 MGD expansion.

Comm. Cavender asked how many years the existing plant had left. Mr. Lofquist said that it was difficult to estimate, but unless there were major extensions of the sewer collection system, the plant would reach capacity in between five and ten years.

The Board thanked Mr. Lofquist for the report, and asked him to discuss with the Town Administrator the development of a time-line budget so that plant expansion could be discussed at upcoming budget sessions and factored into the Town's five-year Capital Improvements Program.

4. The Board then discussed several items related to sidewalks, which had been referred to at the previous meeting and which Comm. James had asked be placed on the agenda. The Board had agreed that 4-foot sidewalks were not wide enough for safety where diagonal parking was located, and it was pointed out that the Planning Board had also recommended 6-foot sidewalks in its plans for Spring Street.

The Master Sidewalk Plan referred to sidewalks "of a type and design approved by the Town of Highlands."

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED THAT THE WIDTH OF SIDEWALKS TO BE APPROVED BY THE TOWN OF HIGHLANDS IN FUTURE SHALL BE SIX FEET.

The Board also discussed a suggestion by Comm. James at the previous meeting that the Town consider establishing a policy on brick sidewalks, limiting them to a defined area downtown. The Board took this matter under advisement.

The Board then discussed the need for an additional two feet on private property for the sidewalks to be constructed along the north side of Spring Street and along Third Street. As discussed in earlier meetings, Lamar Nix said that he had approached Reeves Hardware, John Lupoli, and the Highlands United Methodist Church, and he understood that all of the property owners involved had indicated that they might permit two feet of the sidewalks to be located on their property in order to permit a six-foot sidewalk. The Town Administrator said that he had discussed this matter with Town Attorney Bill Coward earlier in the day, and he recommended that the Town either acquire the property or request perpetual easements.

Mr. Nix also reported that he had obtained an estimate of \$47,600 from PACO for the curb and gutter and sidewalks along Spring Street and Third Street, less than the \$49,000 he had originally estimated.

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO REQUEST PERPETUAL EASEMENTS FOR AN ADDITIONAL TWO-FEET ALONG THE SPRING STREET PROJECT AREA TO PERMIT THE CONSTRUCTION OF SIX-FOOT SIDEWALKS, AND TO PROCEED WITH INSTALLING THE SIDEWALKS; IF NO EASEMENT CAN BE OBTAINED, THAN FOUR-FOOT SIDEWALKS ARE TO BE CONSTRUCTED.

The Board also confirmed that the sidewalk along the east side of Third Street is to be located behind the large oak tree in that location.

5. Dennis DeWolf was present on behalf of the Highlands Historical Society to outline plans for the old "Prince" House on North Fourth Street adjacent to the Recreation Park. The Society planned to install a handicapped-accessible basement in the building for archives, install six parking spaces in the front of the property, and leave the rest of the building relatively as it now appears; the objective was to create a museum or historic farmstead. The building would connect to the Greenways Trail on Recreation Park property, and would also highlight local history relating to "Bug Hill." He said that the Historical Society was now raising funds for a deposit on the building, and would perhaps be seeking grant or private funding. He welcomed any input from the Board.

The consensus of the Board was that the plans were a great idea, and the Mayor thanked the members of the Historical Society who were present for their interest in the heritage of the Town.

6. Eric Pierson was present, and said that at its February 28th meeting the Planning Board had discussed the issue of affordable housing in Highlands; he asked if the Board would object to the Board studying the issue, or hiring someone else to do so. Some of the options discussed might include amendment of the Zoning Ordinance to allow apartments above businesses in B-1 without the parking requirements currently in effect, or amendment of the Zoning Map to permit apartments in some zoning districts.

The Board then discussed the matter at some length, and agreed to permit the Planning Board to investigate the issue.

7. The Town Administrator reported that he was still awaiting the lease information from MetroSite Management, and that the moratorium on wireless communications facilities was due to expire on March 18.

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO EXTEND THE MORATORIUM AN ADDITIONAL SIXTY (60) DAYS, UNTIL MAY 17.

8. The Board discussed at some length the annual budget request to Macon County. \$175,000 had been requested for the Recreation Park last year, but only \$150,000 had been provided. The Board had also requested, on behalf of the School, funding of a sidewalk to the new parking lot, and had later agreed to contribute \$5000 of Town funds toward that project.

In a lengthy discussion, the Board considered several needs in Town, including facilities which serve County residents as well as Town residents; it was reported that two-thirds of those using the Town Recreation Park are County residents who do not live within the Town limits. Comm. Sossomon felt that the increases in ad valorem tax base due to the recent revaluation should be taken into account as well; he felt that the Town should again request \$175,000 for the Recreation Park. Comm. Patterson felt that the County should consider funding fine arts in Highlands through the Performing Arts

Center, which was soon to become a Town building. It had also been reported earlier in the meeting that the Highlands Historical Society was seeking funding for the Prince house project, and the Board agreed to request funding on their behalf.

MOVED BY COMM. SOSSOMON, SECONDED BY COMM. PATTERSON, AND UNANIMOUSLY CARRIED TO REQUEST FUNDING FROM MACON COUNTY IN THE AMOUNT OF \$175,000 FOR THE RECREATION PARK AND \$50,000 FOR THE PERFORMING ARTS CENTER, AND TO REQUEST \$50,000 ON BEHALF OF THE HIGHLANDS HISTORICAL SOCIETY FOR THE PRINCE HOUSE PROJECT.

9. The Board agreed by consensus to cancel the March 15 Regular Board Meeting.

10. The Mayor reported that Comm. Sanders was recovering from surgery at Emory and was reported to have been doing well.

11. MOVED BY COMM. PATTERSON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO GO INTO CLOSED SESSION TO REVIEW APPLICATIONS FOR EMPLOYMENT IN THE SANITATION DEPARTMENT AND THE TRIMMING DEPARTMENT, PURSUANT TO G.S. §143-318.11(A)(6), AND TO DISCUSS PROPERTY ACQUISITION PURSUANT TO G.S. §143-318.11(A)(5). All present left the room except the Clerk, the Public Services Administrator, and the Recreation Director.

A. The Board reviewed applications for employment in the Sanitation Department. The Public Services Administrator recommended employing Norman Houck as Sanitation Equipment Operator II.

B. The Board reviewed applications for employment for the position of Tree Trimmer Crew Leader. The Public Services Administrator recommended employing Matt Shuler in the position.

C. The Board discussed the proposed acquisition of real property.

MOVED BY COMM. PATTERSON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO GO INTO OPEN SESSION.

12. MOVED BY COMM. PATTERSON, SECONDED BY COMM. CAVENDER, AND UNANIMOUSLY CARRIED TO EMPLOY NORMAN HOUCK AS SANITATION EQUIPMENT OPERATOR II AT A SALARY OF 9-1 (\$17,585); AND TO EMPLOY MATT SHULER AS TREE TRIMMER CREW LEADER AT A SALARY OF 13-1 (\$21,425).

VII. MOVED BY COMM. CAVENDER AND UNANIMOUSLY CARRIED TO ADJOURN.

There being no further business to come before the Board, the meeting was declared adjourned by the Mayor at 9:45 p.m.

Richard Betz, Town Clerk