

BOARD MEETING of July 21, 2004, with Mayor Pro Tem Amy Patterson, Hank Ross, H. N. James, Alan Marsh, and Dennis DeWolf present; Mayor Trott was attending a Boy Scouts of America function.

Also present were Richard Betz, Lamar Nix, Larry Gantenbein, Kim Lewicki, Jim Lewicki, Amelia Pavlik, Bob Wright, Hunter Coleman, George Mathis, Jeremy Smearman, Mario Gomez, Bronce Pesterfield, Dennis & Nancy Ostema, Alan Schultz, Shane Griffin, Caroline Rolader, Mary Wheaton, Dave Nicholson, Mozelle Edwards, Jeff Cox, Stan Cochran, Bill Rethorst, Ben McInnes, David Trapp, Mike Crisp, and many others.

I. Call to Order.

Mayor Pro Tem Patterson 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 explained that one additional item, a petition for re-zoning the Edwards property on Fifth Street, had not been submitted before the agenda deadline; the Board agreed to include it under New Business.

MOVED BY COMM. JAMES, SECONDED BY COMM. MARSH, AND UNANIMOUSLY CARRIED TO APPROVE THE AGENDA AS AMENDED.

III. Approval of Minutes.

Copies of the minutes of the July 7 Regular Board Meeting had been distributed by mail.

MOVED BY COMM. MARSH, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO APPROVE THE MINUTES AS DISTRIBUTED.

IV. Reports.

1. Comm. DeWolf reported that he had met with Shulers Metal Roofing and they had proceeded with repairs to the roof of the Civic Center; the contract amount was \$19,400, and the Treasurer reported that \$40,000 had been budgeted.

2. The Town Administrator reported that the software conversion was going well but was taking time. He noted that Lisa Wilson was assisting with data entry and was being trained in the new software so that she could continue to fill in during vacations and illnesses as she had in the past; he asked that she be approved as a temporary part-time employee.

MOVED BY COMM. JAMES, SECONDED BY COMM. MARSH, AND UNANIMOUSLY CARRIED TO EMPLOY LISA WILSON ON A TEMPORARY PART-TIME BASIS.

3. Mayor Pro Tem Patterson asked the Town Engineer about the bricks in the sidewalk in front of the Presbyterian Church where the new handrail had been installed; he agreed to replace them.

V. Old Business.

1. The Town Administrator reported that he had reviewed parking enforcement at the Old Edwards Inn projects, a condition of the permit issued at previous meetings for use of Town right-of-way for construction; he understood that parking was being enforced well by McCarroll Construction on Fourth Street. Mayor Pro Tem Patterson asked about the extent of right-of-way approved on Church Street, and he said he remembered it was both sides of the street to the eastern extent of the old Highlands Hiker property. McCarroll Construction Superintendent David Trapp confirmed that was the case, and he also said that work was expected to be completed on Fourth

Street in two weeks.

MOVED BY COMM. DEWOLF, SECONDED BY COMM. MARSH, AND UNANIMOUSLY CARRIED TO APPROVE CONTINUATION OF THE PERMIT ISSUED AT THE PREVIOUS MEETING UNTIL AUGUST 4.

2. Nominations had been received for the ABC Board and the Advisory Committee for the Scholarship Endowment Fund.

MOVED BY COMM. ROSS, SECONDED BY COMM. MARSH, AND UNANIMOUSLY CARRIED TO APPOINT LARRY ROGERS TO THE ABC BOARD FOR A THREE-YEAR TERM, AND TO APPOINT GEORGE SCHMITT TO THE ADVISORY COMMITTEE FOR THE SCHOLARSHIP ENDOWMENT FUND TO FILL AN UNEXPIRED TERM.

3. Jeremy Smearman, Shane Griffin, Bronce Pesterfield, and Caroline Rolader, architects and engineers for Old Edwards Inn, were present to further discuss several proposed plans for Church Street.

The plans had been reviewed the previous week in a meeting with some Board members and staff. The plans already submitted showed a wooden gate and screening landscaping in front of the generator and a proposed dumpster site at the east end of the street, as well as for the parking layout, sidewalks, and landscaping along the street. Jeremy Smearman summarized the main elements of the street plan. He said that originally the street had contained 66 parking spaces, but several of them did not conform to safety standards in terms of width and angles; 39 of those spaces were in front of OEI property. The drawing proposed eliminating eight of those spaces:

two on both sides of Fourth Street at the entrances which were deemed unsafe, two at the drive to Kelsey-Hutchinson because they blocked egress, and four in front of the generator site already approved by the Town; one would be added, for a total of 32 spaces, and total parking spaces on the street would be 51. The drawing also showed two parallel spaces in front of the Spa building, one of which would be a handicapped space and the other a valet parking space; he said the parallel spaces would allow more room for truck deliveries. The requested valet parking would comply with the Board's previously defined ratio of one per 20 spaces because the Rib Shack property contained a total of 67 available spaces for parking: 43 in one lot, 44 in the other, and 20 required for the restaurant itself. The plan also indicated seven-foot brick sidewalks, 60-degree parking, three pedestrian crosswalks, and a sidewalk stepped out around a retaining wall in front of the old Kelsey-Hutchinson laundry building on top of the bank, where a 36" oak tree was also being preserved. An overall plan of the three-block area indicated that OEI also proposed improving two spaces on Town right-of-way on Church Street alley near the cottages and eight spaces on South Street. Bob Wright commented that these distant spaces could not replace lost spaces on Church Street. The Town Administrator pointed out that there was not enough room for the spaces on Church Street alley, and there were already unpaved spaces on South Street. The drawing also showed pedestrian "nodes" on Church Street at Fourth and at Main Street.

Mr. Smearman also presented an alternate drawing at the meeting which showed diagonal spaces instead of the parallel spaces in front of the Spa building, 45 degree parking, and smaller pedestrian nodes; the drawing also showed concrete sidewalks rather than brick and a total of 64 parking spaces. Of the two plans, he said that the first would be preferable from a safety standpoint due to the length of parking stalls and also from an aesthetic standpoint. Bronce Pesterfield agreed; he had presented additional information on the standard length of parking stalls required for longer vehicles, and this information was indicated on the drawing. Mr. Smearman said that if two long vehicles were parked on the street, the travel lane could be as narrow as three feet and the street would be effectively blocked. Comm. James disputed this information; he pointed out that there was adequate room for parking vehicles on both sides of Pine Street, which was a two-way street with the same right-of-way width.

Comm. DeWolf asked if OEI had considered moving the laundry building on top of the bank, which encroached into the setback; Mr. Smearman said they would like to keep it there. Comm. James said he felt that if it was every remodelled in any way, this building should

be relocated to the setback line.

Several members of the public were present and offered comments. Mary Wheaton asked about the dumpsters, which were proposed to be moved in front of the generators in front of the Presbyterian Church's new drop-off entrance; it was pointed out that the dumpsters served several businesses in the area, and were intended to replace dumpsters on the Dunfergot property. Dave Nicholson asked about plans the Church had previously reviewed showing a gazebo and landscaping at the generator/dumpster; the new landscape plan was displayed. Rev. Hunter Coleman, Pastor of the First Presbyterian Church, expressed concern on behalf of the Church over the loss of parking; he said the Church's strategy had been to create a new \$750,000 entrance for the church on Church Street in order to improve accessibility, and each parking space lost cost the Church dearly. Bob Wright reiterated this view and had also written a letter which had been distributed to each Board member; he also objected to the dumpsters being located in front of the new entrance. Jeff Cox expressed concern over loss of parking due to the pedestrian crosswalks, and asked if a sidewalk was needed on the south side of Church Street; it was explained that the sidewalk had been recently added to the Master Sidewalk Plan and would be required when the Kelsey-Hutchinson property developed. Caroline Rolader said that the only sidewalks required at this time were in front of the Dunfergot's property and in front of the Spa building and old Highlands Hiker building; she also suggested that the Town consider waiving the sidewalk requirement in front of the bank on that side of the street. Stan Cochran agreed and said many merchants felt that way. Bill Rethorst asked about dumpsters on the OEI property and was told that there was one on OEI property east of the Spa building serving OEI property on the north side of Church Street. Ben McInnes objected to the nodes at Church Street; he said there was no way large trucks could make it through the narrow entrance.

The Board then reviewed the alternate plan submitted at the meeting in great detail with Mr. Smearman, Mr. Griffin, and Mr. Pesterfield, and marked it in several locations to denote consensus of the Board on several points. After a considerable discussion, Mayor Pro Tem Patterson then summarized the points as follows: (1) 45-degree diagonal parking provided in front of the Spa building and Highlands Hiker building on the north, and in front of the Dunfergot's property on the south, but no further east at this time, it being agreed that the balance of the street would be striped for now as it had been in the past, including in front of the generator site; (2) four diagonal spaces in front of the Spa to the driveway, to include one handicapped space and one temporary valet parking space, to be identified with a portable sign, for parking after 5:00 p.m., and retention of the two valet spaces already approved on Main Street; (3) reduced pedestrian "nodes" at Church & Fourth and at Church & Main, re-configured and protruding approximately one-half the width of a parallel parking space, as sketched on the plan; (4) a width of 24 feet between the nodes on Church Street; (5) landscaping generally as indicated on the drawing; and (6) all sidewalks to be constructed of brick to Town specifications, six feet in width on the south side and seven feet in width on the north side. It was further agreed that a drawing showing all of these elements would be prepared and submitted for review.

MOVED BY COMM. ROSS, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO APPROVE THE FOREGOING PLAN AS SUMMARIZED BY MAYOR PRO TEM PATTERSON.

The Town Administrator said that, at the meeting held the previous week, the stone wall on Spring Street below the cottages had been discussed. It had come to the Town's attention that, while most of the wall had been constructed behind the right-of-way line, a "wing" at the western end encroached into the right-of-way contrary to the plan submitted, and the sidewalk was also narrower than Town specifications. The Board agreed to take this matter under advisement until the next meeting in order to be able to visually inspect the wall.

4. Each Board member had had the opportunity to review in detail a letter prepared by McGill & Associates dated July 7 concerning change orders to the Hospital Water Line project. In addition to several smaller changes, it had been proposed that a 12" water line be extended along Buck Creek Road to serve the lower end of the Hospital property. Comm. James said that he and the Town Engineer had met with Jack Calloway and understood that the Hospital's long-range plans called for development of some buildings in this area of their property which could be served by such a line directly from the Bearpen tank, rather than being pumped again. The line would also tie in with a line at the entrance to Chestnut Hill and could supply that area with water in an emergency. The Town Engineer reported that plans would have to be prepared and approved by the State, but that verbal approval had already been obtained from the funding agencies; the time extension for the change order was not known due to the uncertainty of approval time by the several agencies involved.

The Town Administrator said that, at the progress meeting held on July 19, the contractor had also requested, and McGill had recommended, approving a 60-day extension to the contract due to rain and other factors.

MOVED BY COMM. JAMES, SECONDED BY COMM. MARSH, AND UNANIMOUSLY CARRIED TO APPROVE THE CHANGE ORDER, AND ALSO TO APPROVE THE 60-DAY EXTENSION IN CONTRACT TIME.

#### VI. New Business.

1. At the previous meeting, Comm. James had suggested that the Board consider developing an Ordinance that would require engineers working on Town projects to report on a monthly basis to the Town Engineer. He said that in the meantime he had discussed this with the Town Engineer and Town Administrator and they had agreed that existing administrative procedures could be tightened up; the new GIS/Field Technician employee proposed could also provide some assistance. He felt that engineers should make progress reports, but he was not recommending a specific Ordinance at this time.

2. Each Board member had received a letter drafted by the Town Administrator to the Macon County Board of Commissioners, as discussed at the previous meeting, requesting funding from the new Macon County capital reserve fund for all three Town capital projects for FY 04-05: the Poplar Street Sewer Line, the Holt Knob Water Line, and the Wastewater Treatment Plant expansion.

MOVED BY COMM. ROSS, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO FORWARD THE LETTER TO THE COUNTY COMMISSIONERS AS SOON AS POSSIBLE.

3. Each Board member had received a letter from Karen Hallett with Thinc Management, the Town's telecommunications consultant, recommending approval of leases for four antennas proposed by Highlands Computers. Christopher Cutshaw, owner of Highlands Computers, was present and said that the antennas would provide wireless internet service to Highlands and the surrounding area. The 4-foot antennas would be mounted at Town-approved sites on Upper Brushy Face, Satulah Mountain, Little Bearpen, and Big Bearpen, and the recommended monthly lease amount for each would be \$275; the term was five-years, but Mr. Cutshaw asked that the commencement date be changed to September 1 rather than August 1. Annual income, including the percentage deducted by Thinc Management, would be \$8,800.

MOVED BY COMM. ROSS, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO APPROVE THE LEASES.

4. Dennis and Nancy Ostema had asked to be placed on the agenda. Mr. Ostema, the owner of Cospers Flowers, said that a pole building added to his shop in Highlands Plaza had been approved by Zoning Administrator Larry Gantenbein, including lattice-work shown on the plans; however, the Zoning Board at its previous meeting had asked

him to either remove the lattice-work or apply for a Special Use Permit. He said he was trying to seek help to see it was possible to make a special exception to keep the lattice-work in order to protect his merchandise from theft.

Mayor Pro Tem Patterson said that this Board could not comment on a Zoning Board matter. She said the Zoning Board was a quasi-judicial Board, and the law intentionally protected it from interference from the Town Board in its decisions; Mr. Ostema would have to go through proper channels and could not obtain relief from this Board.

VII. MOVED BY COMM. ROSS, SECONDED BY COMM. DEWOLF, AND UNANIMOUSLY CARRIED TO ADJOURN.

There being no further business to come before the Board, the meeting was declared adjourned by the Mayor Pro Tem at 9:04 p.m.

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Richard Betz, Town Clerk