

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REGULAR SESSION MEETING
June 11, 2013

THE WAYNESVILLE BOARD OF ALDERMEN held its regular meeting on Tuesday June 11, 2013 at 7:00 p.m. in the board room of Town Hall, 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

Mayor Brown called the meeting to order at 7:00 p.m. with the following members present:

Mayor Gavin Brown
Alderman Gary Caldwell
Alderman Julia Freeman
Alderman Wells Greeley
Alderman LeRoy Roberson

The following staff members were present:

Marcy Onieal, Town Manager
Woodrow Griffin, Town Attorney
Alison Melnikova, Assistant Town Manager
Eddie Ward, Deputy Clerk
Eddie Caldwell, Finance Director
Rhett Langston, Parks & Recreation Director

Representing the media:

Shelby Harrell, The Mountaineer

1. Welcome /Calendar/Announcements

Mayor Brown welcomed everyone and introduced **Mr. Bill Turner, 31 Lawson Street Waynesville, NC.** Mr. Turner, a 92-year old WWII veteran, is a six-month/year resident of Waynesville. He has had a long professional career in music, playing saxophone, clarinet, and trumpet. Mr. Turner came before the Board to ask to be able to play his music on Main Street. He uses a computer and will also have a canopy to protect him from the sun. Mr. Turner stated he needed to make money for repairs on his house, and has no other way to earn income.

Manager Onieal referred to the calendar of events, and said the Board had been invited to the NC Mountain Resources Commission Governor's Land Compatibility Task Force work shop on June 21, 2013, 10 a.m. – 12 noon. This is regarding the Federal Government, the State Government, and how the military can make use of different mountain terrains in the future.

Concerning the Lake Junaluska/Waynesville merger, Manager Onieal said the annexation bill was currently stalled in the House Finance Committee. She said that if a budget is passed quickly, there will still be time at before the end of the session, which is June 30, 2013, for the annexation bill to go

through. Manager Onieal, Mayor Brown, task force members, and staff from Lake Junaluska are prepared to go to Raleigh at any time.

2. Adoption of Minutes

A motion was made by Alderman Caldwell, seconded by Alderman Greeley to approve the minutes of May 14, 2013 (regular session) as presented. The motion passed unanimously.

B. PUBLIC HEARINGS

3. Public Hearing to consider amending Section 54-93 of the Code of Ordinances, regarding use of engine compression brakes (jake breaks) within town limits, as presented.

Manager Onieal said that some time ago, the Board approved Section 54-93 of the Code of Ordinances to prohibit the use of engine compression brakes (jake brakes) on Allens Creek Road. Recently there have been several requests to amend that ordinance to include prohibiting use of jake brakes within Town limits, except as needed, in the case of an emergency.

Attorney Woodrow Griffin opened the Public Hearing and asked if anyone would like to speak.

Ms. Marian Hobbie, 95 Rangeview Lane, Waynesville, NC 28786, stated she is owner of Orchard Mobile Home Park, which is zoned residential and inside the city limits of Waynesville. She said the noise from the use of compression brakes is very loud in the mobile home park and much worse at her house on the second level of the park. Ms. Hobbie said she would like the Board to approve the amendment to the ordinance to prohibit the use of these brakes, and also she would like for signs to be posted stating compression brakes are prohibited.

Mr. Ken Stack, Orchard Mobile Home Park, Waynesville, NC 28786, said he had lived in the mobile home park four years. He stated that the large logging trucks that travel down Russ Avenue towards the light at Mauney Cove Road use their compression brakes so much that he has to close the doors at his home to avoid the noise. He says that a lot of times the drivers will turn the switch to the brakes off and on causing more noise.

Manager Onieal said signage stating the prohibition of the use of compression brakes will be posted at all gateway entrances into the Town and other such roads as necessary. A fine has not yet been established for this violation, but the Code of Ordinances allows a fine of up to \$500.00 when it is not specified for each violation. Posting of signs on state roads will require an encroachment agreement with NCDOT.

Attorney Griffin closed the Public Hearing.

A motion was made by Alderman Freeman and seconded by Alderman Greely to adopt the amendment to Section 54-93 of the Code of Ordinances, prohibiting use of engine compression brakes (jake brakes) within the town limits as presented. The motion passed unanimously.

4. Public Hearing to consider amending Chapter 46 of the Code of Ordinances, regarding safety requirements at skate park facilities.

Attorney Griffin opened the Public Hearing.

Manager Onieal stated that safety procedures needed to be put in place for the new skate park to protect the citizens, participants, and to limit the liability the Town will incur associated with providing a hazardous recreational activity. This ordinance will require that all participants wear helmets, knee pads, and elbow pads, and is consistent with ordinances adopted by other North Carolina municipalities. Passage of the ordinance has been recommended and approved by the Town's insurance carrier. There will be signage posted with the rules at the park.

Attorney Griffin opened the Public Hearing.

There were no speakers.

Attorney Griffin closed the Public Hearing.

A motion was made by Alderman Roberson and seconded by Alderman Greely to adopt the amendment to Section 54-93 of the Code of Ordinances, requiring the use of safety equipment at municipal skate park facilities, as presented. The motion passed unanimously.

5. Public Hearing to consider the FY 2013-2014 Proposed Budget.

Manager Onieal thanked the board for the extensive time and discussion they have already spent considering the budget during two special called work sessions, and provided a brief summary of the key points of the FY 2013-2014 proposed budget.

- FY 2013-2014 budget is \$31,780,480 - 8.7% increase over last year mainly due to the additional purchase of power and the purposed merger of Lake Junaluska.
- FY 2013-2014 property tax remains steady at 40.82¢ per \$100 valuation.
- The budget includes the customary annual increase in rates for water and sewer – 6% across the board, as recommended by the 2007 Water & Sewer Assets Management Plan.
- Several new initiatives that respond to the goals set in the Board retreat include:
 - a. Junaluska Annexation
 - b. Proposal for assigned vehicle program for the Police Department
 - c. Proposal for additional four Fire Department personnel
 - d. Proposal for implementing an IT advancement plan
- Water, sewer, and electric – no major changes. Rates for electric will be adjusted when increases are implemented by Duke Energy Progress.
- 2.1% has been set aside for wage adjustments and employee development initiatives.

- The 13.5% increase in health insurance, following a 17% increase in FY12-13 will be absorbed by the Town. No changes to the health plan itself; coverages, co-pays, deductibles, reimbursements will remain unchanged.
- 14.5 new positions proposed; with the exception of four new firefighter positions, the others will be directly related to absorbing employees from the Waynesville/Lake Junaluska merger
- Business privilege license fees will be moved from a flat rate formula to a gross receipts formula, with the anticipation of generating approximately \$138,000. The new basis is a more equitable means of assessment and should provide replacement revenue for that lost as a result of the Sweepstakes ban implemented by the state legislature in 2012.

Manager Onieal noted that legislation before the General Assembly proposes to eliminate municipalities' sales tax reimbursements and the authority to collect business privilege license fees. In addition, the tax reform bill still being debated could have major detrimental impact to other municipal revenue streams statewide. While she anticipates little impact on the Town of Waynesville's budget in FY13-14, the Town must be prepared for losing as much as a \$500,000 in state-distributed revenue per year. Such action by the General Assembly, without identifying replacement revenue will result either in a need for a significant tax rate increase (up to six cents per hundred), drastic reductions in the General Fund, or a combination of both.

Attorney Griffin opened the Public Hearing.

No one spoke.

Attorney Griffin closed the Public Hearing.

As the budget is scheduled for adoption at the June 25, 2013 regular meeting of the board, no action was taken.

6. Public Hearing to consider amending multiple Sections of the Code of Ordinances, regarding terms of office and discharge of duties for appointees to various boards and commissions.

Manager Onieal provided the Board a list of Boards and Commissions containing the names of members, appointment dates, term expirations, addresses, and phone numbers. She said that earlier in the year the Board agreed to a July – June term for all members, and some member terms will soon be expiring. She also provided applications received to date for the expiring terms on the various Boards and Commissions. She asked the Board to defer the public hearing to consider amending Sections of the Code of Ordinances until July in case there are more applications to be considered. Appointments will be made at one of the regular board meeting in July.

C. COMMUNICATIONS FROM STAFF

Manager Onieal said she had received a copy of the Waynesville ABC Board proposed budget FY 2013-2014, as required by law, and provided a copy to board members, noting that the budget is preliminary and does not currently balance. A revised budget will be provided.

D. COMMUNICATIONS FROM MAYOR AND BOARD OF ALDERMEN

Alderman Caldwell and Alderman Freeman expressed concerns about proposed new expenditures for the Police Department assigned vehicle program. The Board agreed to discuss this matter at the Budget workshop scheduled for June 17, 2013.

E. CALL ON THE AUDIENCE

No speakers.

F. ADJOURN

With no further business, Alderman Roberson made a motion, seconded by Alderman Greeley, to adjourn at 7:50 p.m. The motion passed unanimously.

Gavin A. Brown, Mayor

ATTEST:

Marcia D. Onieal, Town Manager

Eddie Ward, Deputy Town Clerk