

**MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN**  
**REGULAR MEETING**  
**August 27, 2013**

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**THE WAYNESVILLE BOARD OF ALDERMEN** held a regular meeting on Tuesday, August 27, 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 and Recreation Director  
Julie Grasty, Purchasing Supervisor

Representing the media:

Mary Ann Enloe, the Mountaineer

1. Welcome /Calendar/Announcements

Mayor Brown welcomed everyone and referred everyone to the calendar of events received in the agenda packets. Some highlights brought to the Board's attention by Manager Onieal were the Fall Board Retreat and manager evaluation scheduled for 5:00 Tuesday, September 17, the Haywood County Emergency Responders annual dinner and recognition program on September 24, the NCDOT Annual Litter Sweep September 21<sup>st</sup> – October 5<sup>th</sup> and the OPT – In work shop for Haywood County elected officials at the Regional High Tech Center on October 10.

2. Adoption of Minutes

***Alderman Caldwell made a motion, seconded by Alderman Greeley to approve the minutes of the August 13, 2013 meeting as presented. The motion passed unanimously.***

## B. NEW BUSINESS

### 3. Request by Tuscola Jr. ROTC for program funding in FY13-14

Representatives from the Tuscola High School Air Force Junior ROTC came before the Board to ask for FY13-14 program funding. First Lt. Stefan Emsheimer, Command Chief, Master Sergeant Adam Williams, Tech Sergeant Samuel Moore, and Tech Sergeant McKayla Warren explained that when the sequester was put into effect, it became difficult to offer all the educational and life experiences unique to the AFJROTC program. The funding from the Town will enable the ROTC to send care packages for deployed troops, help with local food drives and food pantries, and sponsor a Veterans Day luncheon, all programs coordinated by the AFJROTC members.

***A motion was made by Alderman Caldwell, seconded by Alderman Greeley to approve FY13-14 program funding in the amount of \$1500.00 for Tuscola Air Force Jr. ROTC, as requested. The motion passed unanimously.***

### 4. Multijurisdictional Memorandum of Understanding with Haywood County for Public Safety Information Technology (IT) Support Services

Manager Onieal said that for the last several years, the Town Police Department has received IT support from the Haywood County Information Technology Department at no charge. With this support the Town has been able to avoid the cost of hiring a full time technician and still have access to the depth of knowledge available from the County IT staff, but that Town projects have understandably been low priority for county staff. The need for additional IT support in the Police Department has now reached a level where Haywood County has requested the Town to provide payment for the service and in return the Town will receive the service of a new dedicated/shared public safety IT technician position. This position is funded by the County but the employee's hours and costs are to be shared among the County, Town of Waynesville, and Maggie Valley. Waynesville will receive no less than 6 hours of onsite technical work each week, as well as twenty-four hour support. This service will still be needed and will not conflict or duplicate service to be provided by the Town's new IT support vendor, when the Town-wide contract is issued later this fall.

***A motion was made by Alderman Freeman, seconded by Alderman Caldwell, to approve the Memorandum of Understanding with Haywood County IT Support Services and the Town of Maggie Valley as presented. The motion passed unanimously.***

### 5. Updates to the Town's Purchasing Policy

Manager Onieal said that Waynesville operates with a central purchasing system, and this allows for efficient and strategic use of a variety of purchasing methods. Some significant revisions were made to the policy in 2011, and revisions of the policy being presented now include buying environmentally responsible (green) goods and services, and the threshold for capital purchases is being raised from \$1500.00 to \$5000.00.

Julie Grasty, Purchasing Supervisor, stated every employee who has a town issued credit card must sign the internal agreement annually. Also, a section on the purchase of vehicles and other rolling stock has been added to clearly outline departmental and purchasing department responsibilities.

***A motion was made by Alderman Greeley, seconded by Alderman Roberson, to adopt the revised Purchasing Policy as presented. The motion passed unanimously.***

6. Recreation Master Plan/Tennis Court/Restroom Updates & Proposal

Manager Onieal noted that since the Recreation Center restroom project had been stalled for design and budgetary reasons, Parks and Recreation Director Rhett Langston had been working with the Recreation Commission to look at what will be best for the long term outlook for the Parks and Recreation. In addition, said there had been numerous requests from the public to resurface existing and build additional tennis courts. Given the changing circumstances surrounding the expressed needs, condition and use of park property since she arrived, she proposed that the Town engage in a Parks Master Planning process rather than addressing each request piecemeal without a plan. She asked Mr. Langston to report on recent Commission discussions regarding various staff proposals to address immediate needs.

Mr. Langston said that the Commission voted unanimously to pursue a plan to authorize the expenditure of up to \$130,000.00 in FY 13-14 for three items, the first being a pre-fab restroom for general public use. Much like an RV, the restrooms will be fully functional with fresh running water, power, and winterization and mobile capability. These restrooms may also be used at street festivals in the downtown area or other areas in which permanent restrooms may not be adequate or functional.

The second proposal calls for resurfacing six existing tennis courts, which should give the courts an additional 5-6 years of playable life until a Master Plan can be completed and implemented.

Finally, the Recreation Department is asking for approval to hire an outside consultant to develop a Master Development Plan for all the Town's parks and other Town-owned property suitable for recreation purposes, and to identify any unmet or potential needs for recreational programming in the future. The Town's facilities were included in a county-wide comprehensive recreation plan developed by Haywood County in 2006, with the plan was to be reviewed in 5 years. That has not taken place and many of the projects included in the plan have not been funded, so the Town is in need of review, updating, and coordinating its own plans regardless of what has been done in other jurisdictions.

***A motion was made by Alderman Greeley, seconded by Alderman Caldwell, to authorize the expenditure of up to \$130,000.00 in FY13-14 for: 1) the development of a Recreation Master Plan, 2) resurfacing of six existing tennis courts and 3) purchase of an ADA-accessible mobile restroom unit; and to authorize staff to proceed with hiring an outside consultant to develop the recreation master plan. The motion passed unanimously.***

C. UNFINISHED BUSINESS

7. Public Hearing to Consider Amendments to Section 14 of the Code of Ordinances, to provide for the permitting of Street Performances on Public Property

Manager Onieal said the Town has received multiple requests from both performers and the general public to allow street performers to play for tips without being in violation of the town's panhandler ordinance. Town Staff has developed an ordinance that would allow street performers to be permitted to perform on public properties (sidewalks and grounds of public facilities) provided certain conditions are met. The new ordinance will allow performances in designated areas for donations. The ordinance requires a payment of a \$25.00 privilege fee, criminal background check, photo ID, and a set

of rules expressly outlining what is and is not allowed. Downtown Waynesville Association was consulted and is supportive in the development of the ordinance.

Attorney Woodrow Griffin opened the Public Hearing and asked if anyone had any comments on the issue.

**Bill Ierna, Waynesville, NC**

Mr. Ierna stated he had been performing music for many years and has played in many cities. He is very anxious to start playing music on the street and wants to start immediately.

**Larry Martin, 349 Avery Patrick Lane, Waynesville, NC**

Mr. Martin said he is very glad the Town has decided to allow street performers on public property, but he disagrees with the requirements that have to be met such as background checks, and the \$25.00 fee for permitting. Mr. Martin feels the Town should follow Asheville's direction which requires no fee or background check.

**Chris Ashburn, Waynesville, NC**

Mr. Ashburn said he is very appreciative of the Town allowing street performers. He loves music and it is a major part of his life.

**Michael (Barney) Pilgrim 95 Strollers Lane, Waynesville, NC**

Mr. Pilgrim says he has been a musician all his life and has worked as a street performer. Mr. Pilgrim has read the ordinance 08-13 addressing street performers and he agrees with it completely. He wanted to thank the manager and staff for drafting the ordinance and is very excited about bringing music to Waynesville's streets.

Attorney Griffin closed the Public Hearing.

***A motion was made by Alderman Greeley, seconded by Alderman Freeman to adopt amendments to Section 14 of the Code of Ordinances to provide for the permitting of street performers on public property as presented. The motion passed unanimously. (0-08-13)***

8. FY13-14 Budget Amendment

Manager Onieal asked Finance Director Eddie Caldwell to present the amendments to the 2013-2014 Budget Ordinance and amendment to the Financial Operating Plan for the Internal Service Funds.

Mr. Caldwell stated the General Fund's total net revenue decrease (\$684,820) will equal the General Fund's total net appropriation decrease (\$684,820). Mr. Caldwell also said the fund balance will decrease by \$196,120.00 and \$239,220.00 once the Lake Junaluska Assembly annexation appropriations are removed, and user changes to the Garage Fund will drop (\$39,510) once Lake Junaluska's Assembly's annexation appropriations are removed.

Ms. Onieal noted that all proposed revenues and expenditures directly related to Junaluska annexation had been removed from the budget, and that in light of the State Legislature having largely left municipal revenues intact for FY13-14, that the budget still includes funding for: 1) IT Support

Services contract (approx. \$200,000); 2) approx. \$140,000 in employee development initiatives, including approximately \$40,000 for a new wellness program; 3) conversion of one part-time clerical position to full-time; and 4) assigned vehicle program in the police department (no budgetary impact in FY13-14).

***A motion was made by Alderman Freeman, seconded by Alderman Roberson to adopt the FY13-14 Budget Amendment as presented. (O-09-13 and O-10-13) The motion passed unanimously.***

9. Resolution honoring Ellis Hankins upon his retirement as Executive Director of the NC League of Municipalities.

It was consensus of the Board that Mayor Brown will sign the resolution honoring Ellis Hankins upon his retirement as Executive Director of the NC League of Municipalities.

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10. Appointment of voting delegate to NCLM Annual Conference October 13-15, 2013

***A motion was made by Alderman Greeley, seconded by Alderman Caldwell to appoint Mayor Gavin Brown as voting delegate, and Town Manager Marcy Onieal as alternate voting delegate, to the NCLM Annual Conference October 13-15, 2013. The motion passed unanimously.***

#### **COMMUNICATIONS FOR STAFF**

11. Town Manager – Marcy Onieal

- Employee/Departmental Recognitions

Manager Onieal recognized Deputy Town Clerk Eddie Ward for obtaining the NC Municipal Clerk Certification and Don Elliott as Service Operator of the year. The Town water department has been recognized as one of the 49 utilities for outstanding water systems for the Division of Water Resources.

- Gross Receipts

Manager Onieal said Tax Collector James Robertson, has been working with many businesses in Town and about 85% of budgeted revenue has been collected, which is in line with collection rates in previous years. She indicated that staff had received complaints from only 2 business owners out of nearly 700 total businesses about the switch from flat fee to gross receipts, noting that one complaint was simply a misunderstanding about how the fee had been applied. She commended the Finance staff for good research and very accurate predictions on how the new fee would impact local businesses. She indicated that more detailed reports would be forthcoming during the year and that the board could certainly look at the exemption threshold during the budget process next spring if minor adjustments to fees are needed to avoid any undue burden on a particular class/size of business.

#### **E. COMMUNICATIONS FROM MAYOR AND BOARD OF ALDERMEN**

No comments.

F. **CALL ON AUDIENCE**

No comments.

G. **ADJOURN**

***With no other business, Alderman Caldwell made a motion seconded by Alderman Greeley to adjourn at 8:30 p.m. The motion passed unanimously.***

ATTEST

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Gavin Brown, Mayor

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Marcia Onieal, Town Manager

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Eddie Ward, Deputy Town Clerk