

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REGULAR MEETING
May 23, 2017

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, May 23, 2017 at 6:30 p.m. in the board room of Town Hall, 9 South Main Street, Waynesville, NC.

A. CALL TO ORDER

Mayor Pro Tem Gary Caldwell called the meeting to order at 6:28 p.m. with the following members present:

Mayor Pro Tem Gary Caldwell
Alderman Jon Feichter
Alderman Julia Freeman
Alderman LeRoy Roberson

The following members were absent:

Mayor Gavin Brown

The following staff members were present:

Rob Hites, Town Manager
Woody Griffin, Town Attorney
Amie Owens, Assistant Town Manager/Town Clerk
Eddie Caldwell, Finance Director
David Foster, Public Services Director
Elizabeth Teague, Development Services Director
Bill Hollingsed, Police Chief

The following media representatives were present:

Cory Vaillancourt, Smoky Mountain News
Allison Richmond, The Mountaineer

1. Welcome /Calendar/Announcements

Mayor Pro Tem Caldwell welcomed everyone to the meeting and noted that Mayor Brown was under the weather and unable to attend the meeting this evening. From the events calendar, the following were mentioned:

- May 27 – first Block Party of the season is being held downtown from 7 p.m. to 10 p.m.
- May 29 – Town of Waynesville offices closed for Memorial Day

Ms. Owens added that there is a county-wide geocaching event this weekend and one of the stops is at the Old Time Music statue; Boojum and Affairs of the Heart were sponsors. There are approximately 2,000 participants who will be visiting the downtown.

2. Adoption of Minutes

Alderman Roberson made a motion, seconded by Alderman Feichter, to approve the minutes of the May 9, 2017 regular meeting, and the May 9, 2017 closed session minutes as presented. The motion carried unanimously.

B. NEW BUSINESS

3. Request approval of Public Art Commission piece and contract with artist

George Kenney, Chairman of the Waynesville Public Art Commission (WPAC) explained that he Was privileged to present the proposal to commemorate the Plott Hound, the state dog of North Carolina. He outlined the process starting with a Call for Artists in January. Eight (8) submissions were received and narrowed to a final 3. The three finalists completed a public presentation on April 29 and the WPAC, by unanimous recommendation, chose the rendering from Todd Frahm. Mr. Frahm has a national reputation and has submitted for several other projects in Waynesville. His rendering of the Plott Hound shows movement and the tenacious character of the dog. Mr. Kenney added that the piece would be installed in Hazelwood as part of the parking lot improvements in an area called the Robert and Viola Forga Mini-park. The cost for the piece is \$20,000 which is funded through donations only, no town monies go toward the project.

Mr. Kenney requested approval of the piece and the contract with the artist that outlines specific timeline goals for an installation in late October or early November.

Alderman Feichter made a motion, seconded by Alderman Roberson to approve the Plott Hound art piece and approve the contract with artist Todd Frahm to produce the piece, as presented. The motion carried unanimously.

4. Request to purchase trench box system

David Foster, Public Services Director, explained that the Town has an antiquated trench box system, and its bulk and weight made it tedious and cumbersome to deploy. He requested consideration for a lightweight and easily deployable trench box system. Three bids were secured for purchase of this trench box system. Mr. Foster added that having these smaller trench boxes would allow for safety and risk mitigation related to shoring of excavated areas. Mr. Foster shared a picture of the proposed unit and noted it was aluminum with steel cross bars and could be stacked for deeper small trenches. The larger trench boxes will continue to be used for other jobs.

Mr. Foster noted that this piece of equipment was not budgeted in the current capital budget. Finance Director Eddie Caldwell confirmed that this trench box system can purchased without a budget amendment in the Water Department materials and supplies line item.

Alderman Freeman made a motion, seconded by Alderman Feichter to approve and authorize the purchase of an OSHA compliant trench box system utilizing the Water Department materials and supplies line item, as presented. The motion carried unanimously.

5. Request approval of engagement of McGill and Associates to complete a Reservoir Capacity Use Study

Town Manager Rob Hites requested approval of the engagement of McGill & Associates to complete a reservoir capacity use study. He noted that when the water level dropped due to drought and the county was having difficulty other towns were looking at Waynesville for relief. Concerns about being able to handle another drought situation and how the Town could assist led to an informal study completed by Town Engineer Preston Gregg. Results showed that the reservoir could not support long term drought relief for all. Manager Hites explained that a more formal drought relief plan for the county needs to be developed. The suggestion is to have McGill complete the scientific study and once capacity is determined, a formal drought relief plan can be developed. The cost of the study is estimated at \$24,800. The cost would be shared between Water Treatment, \$12,800, and Water Maintenance, \$12,000.

Alderman Feichter inquired as to how long the study would take to complete. Manager Hites responded that the study could be finished by mid-August. Mr. Foster indicated that due to the data collection that occur onsite currently, modeling can be done which should help in the timeliness of the study. Manager Hites noted that the TVA would be notified of any change in the total pond level.

Alderman Roberson asked if during a drought the minimum amount of water released into Allen's Creek would remain the same. Mr. Foster answered that if the permitting was changed, that amount could possibly be reduced. Manager Hites added that McGill has just finished a similar study for Asheville and that McGill is the engineer for all of the regional water systems except for Junaluska Sanitary District.

Alderman Feichter clarified that the results of this study would allow the Town to take a different approach to its own water restriction/conservation efforts in the event of the drought. Manager Hites confirmed. Alderman Freeman inquired which year this would be budgeted. Finance Director Caldwell noted that this would be in the current year's professional services.

Alderman Feichter made a motion, seconded by Alderman Roberson to approve the engagement of McGill and Associates to complete a reservoir capacity use study and authorize the Town Manager to execute the agreement, as presented. The motion carried unanimously.

C. **PRESENTATION**

6. Presentation of the Fiscal Year 2017-2018 Budget

Manager Hites read aloud the budget message. Finance Director Eddie Caldwell presented slides of information contained in section 3 of the budget book and additional information illustrating how the funds are allocated by function.

Mr. Caldwell explained that each penny on the tax rate was equivocal to \$113,770. In working with the new budget, all operating costs and capital were reviewed to ensure that all were necessary.

Mr. Caldwell explained that related to the Electric Fund, power costs were difficult to estimate going forward as there is only three months of history since the switch to Santee Cooper and due to a

mild winter power costs are down \$148,000 and sales are down \$223,000. Mr. Caldwell added that staff has been saving money with the peak shaving and the wholesale costs would have been much more. He noted that without the electric fund transfers to the general fund, taxes – equivalent to 10.83 cents – would have to be raised. This is why the electric fund maintains a profit - to help keep taxes low.

Mr. Caldwell provided additional graphs broken down fund and by major categories. He noted that in general fund – majority of cost is labor, insurance and benefits, which is difficult to cut. In covering each fund, he noted how allocations from the internal service funds were determined and added that the charges for the Garage were allocated based on fuel usage.

Alderman Roberson inquired if the propane conversion had been successful. Mr. Caldwell answered that part of the cost is tied up in conversion itself, but that it is cheaper and cleaner fuel. Alderman Roberson asked the same question of Police Chief Bill Hollingsed. Chief Hollingsed answered that the performance is fine and mileage is good and it does make a difference in idling.

Mr. Caldwell provided graphic information highlighting the information from peer groups and how Waynesville fares in comparison. He noted that the current fund balance is \$5.4 million. This will decrease by the end of the year.

Alderman Freeman thanked Mr. Caldwell and the department heads for their hard work and persistence in setting a proposed budget for fiscal year 2017/2018. Mayor Pro Tem Caldwell added that there are many items outlined in the budget, but he acknowledged that there will still be cuts required.

Manager Hites provided the Board with a proposed budget schedule leading up to the approval of the fiscal year 2017-2018 budget.

Alderman Roberson made a motion, seconded by Alderman Freeman to approve the budget schedule including the special called meeting on June 9, 2017 as presented. The motion carried unanimously.

D. CALLS FOR PUBLIC HEARING

7. Call for Public Hearing to consider the approval of the Fiscal Year 2017-2018 Budget for the Town of Waynesville

Mayor Pro Tem Caldwell noted that a requirement of the NC General Statutes related to the approval of the budget to hold a public hearing in order to obtain citizen input.

Alderman Roberson made a motion, seconded by Alderman Freeman to Call for Public Hearing to be held on June 9, 2017 at 1:00 p.m. or as closely thereafter as possible in the Town Hall Board Room located at 9 South Main Street, Waynesville to consider the approval of the Fiscal Year 2017-2018 Budget for the Town of Waynesville. The motion carried unanimously.

8. Call for Public Hearing to consider a Conditional District map and text amendment request at 909 Russ Avenue, and 88 and 186 Frazier Street, Haywood County Tax Parcel Identification Numbers 8616-12-9629, 8616-12-9531, 8616-12-7433, and 8616-12-4331 from Russ Avenue Regional Center Commercial District (RA-RC) to Russ Avenue Regional Center Commercial District Conditional District (RA-RC-CD)

Elizabeth Teague, Development Services Director, explained that she had received a request from MAB Management, LLC for conditional zoning to place a new retail development the Waynesville Pavilion. The reason for the request is due to the complexity of the site and engineering requirements for retaining walls; parking requirements are similar to those at Ingle's.

Alderman Freeman inquired about the Planning Board's recommendation. Ms. Teague noted that the Planning Board unanimously approved this and added three conditions Julia and the developer is addressing all three conditions. When the developer comes to Board, the conditions will have been met. The applicant has not officially gotten the right of way from the owners at the Sagebrush related to a turn lane, but negotiations are continuing.

Alderman Freeman made a motion, seconded by Alderman Roberson to call for a Public Hearing to be held on Tuesday, June 13, 2017 at 6:30 p.m. or as closely thereafter in the Town Hall Board Room located at 9 South Main Street, Waynesville to consider a Conditional District map and text amendment request at 909 Russ Avenue, and 88 and 186 Frazier Street, Haywood County Tax Parcel Identification Numbers 8616-12-9629, 8616-12-9531, 8616-12-7433, and 8616-12-4331 from Russ Avenue Regional Center Commercial District (RA-RC) to Russ Avenue Regional Center Commercial District Conditional District (RA-RC-CD). The motion carried unanimously.

E. COMMUNICATIONS FROM STAFF

9. Manager's Report –Town Manager Rob Hites

Manager Hites had nothing to report

10. Attorney's Report – Town Attorney Woody Griffin

Attorney Griffin had nothing to report

F. CALL ON THE AUDIENCE

No one addressed the Board

G. COMMUNICATION FROM THE MAYOR AND BOARD

There was no additional information from the Board.

H. CLOSED SESSION

11. Enter into closed session for the purpose of discussion of personnel – Town Attorney - under North Carolina General Statute §143.318.11(a)(6) and the discussion of property acquisition under North Carolina General Statute § 143.318.11(a)(5)

Alderman Feichter made a motion, seconded by Alderman Freeman to enter into closed session at 7:27 p.m. The motion carried unanimously.

The Board returned from closed session at 7:39 p.m.

Town Attorney

Manager Hites announced that discussion related to the hiring of a Town Attorney has concluded and a proposed contract drafted.

Alderman Feichter made a motion, seconded by Alderman Freeman to approve the contract with Attorney Bill Cannon of Cannon Law, PC, to serve as the Town Attorney for the Town of Waynesville effective July 1, 2017. The motion carried unanimously.

Attorney Bill Cannon addressed the board and expressed his appreciation for the opportunity to serve the time. Mr. Cannon noted that he had a great working relationship with current Town Attorney Griffin. He thanked the Board and added that he hoped to continue to earn the Town's trust and looked forward to the new relationship.

Land Acquisition

Manager Hites explained that the Town is moving forward with the purchase of approximately 9.67 acres owned by Scotty Schulhofer that is close to the recreation center to be used for recreational purposes.

Alderman Roberson made a motion, seconded by Alderman Feichter to approve the Town's purchase of a 9.67 acres parcel from Scotty Schulhofer. The motion carried unanimously.

Manager Hites added that it is necessary to have a budget amendment to cover the costs of the acquisition and related closing costs. Mr. Caldwell has prepared a budget amendment for \$85,000.00.

Alderman Roberson made a motion, seconded by Alderman Freeman to approve the budget amendment for \$85,000 for the land acquisition and related closing costs. The motion carried unanimously.

H. ADJOURN

There being no further business to discuss, Alderman Freeman made a motion, seconded by Alderman Feichter to adjourn the meeting at 7:46 p.m. The motion carried unanimously.

ATTEST

James G. Caldwell, Mayor Pro Tem

Robert W. Hites, Jr., Town Manager

Amanda W. Owens, Town Clerk