

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REGULAR MEETING
June 27, 2017

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, June 27, 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 6:30 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
Elizabeth Teague, Development Services Director
Eddie Ward, Deputy Clerk

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 improving and hopes to be back soon. From the events calendar, the following were mentioned:

- July 4th - Stars and Stripes Parade and downtown activities
- July 4th – Town offices will be closed
- July 7th – Street Dance downtown

2. Adoption of Minutes

Alderman Freeman made a motion, seconded by Alderman Feichter, to approve the minutes of the June 9, 2017 special called meeting and the June 13, 2017 regular meeting, as presented. The motion carried unanimously.

B. PUBLIC HEARING

3. Public Hearing to consider a voluntary annexation from Encouraging Word Baptist Church in order to receive municipal services

Assistant Town Manager Amie Owens explained that this was a request from Encouraging Word Baptist Church to be annexed to receive municipal services. There is no additional ad valorem tax that would be added due to the exempt status of the church; however, having water and sewer services in this area will allow for potential additions to the town in the future. This annexation would be effective August 1, 2017. She added that notifications were sent out and public notice posted twice in the Mountaineer on June 16 and June 23 related to the voluntary annexation.

Town Attorney Woody Griffin opened the hearing at 6:32 p.m. and reminded those who wished to speak to approach the podium, give their name and address for the record and limit comments to three minutes.

No one addressed the Board.

Attorney Griffin closed the public hearing at 6:33 p.m.

There were no questions or comments from the Board.

Alderman Feichter made a motion, seconded by Alderman Freeman to approve the request for voluntary annexation from Encouraging Word Baptist Church for PIN 8615-92-2447 at 1408 Pigeon Road being 4.702 acres, to receive municipal services. The motion carried unanimously.

C. NEW BUSINESS

4. Request Approval of Amendment #2 to the 2016-2017 Financial Operating Plan for Internal Service Funds

Finance Director Eddie Caldwell presented the Amendment 2 to the Financial Operating Plan for Internal Service Funds for the Hazelwood Parking Lot. The reason for the amendment is to move funds from one line item to another to cover expenses of \$35,000. There is still some additional work to be done; however, it will be in the next budget year and the additional amendment will be presented then. Mr. Caldwell explained that there is additional work to be done on the rest room facility and due to the movement of the location and preparation work for the site. The next amendment is approximately \$47,000.00.

Alderman Roberson made a motion, seconded by Alderman Feichter to approve Amendment #2 to the 2016-2017 Financial Operating Plan for Internal Service Funds. The motion carried unanimously.

5. Adoption of the FY 2017-2018 Annual Operating Budget – FY 2017-18 Budget Ordinance #O-10-17

Mr. Caldwell presented the Fiscal Year 2017/2018 Annual Operating Budget Ordinance. The budget ordinance is formatted the same as in previous years with the exception of the addition of the fee schedule as part of the ordinance. Mayor Pro Tem Caldwell noted that in the presentation of this budget, there was a clear idea of what the Town is going to do and how we are going to get there. He applauded Town Manager Rob Hites and Finance Director Caldwell for their diligence and work on this budget.

Mayor Brown forwarded comments related to the budget to be read into the minutes. “The proposed budget is an affirmation of all of the accomplishments achieved by the Town over the last number of years. At the same time, there is a clear recognition of the financial cost of these achievements.”

Alderman Freeman made a motion, seconded by Alderman Feichter to adopt the Fiscal Year 2017-2018 Annual Operating Budget Ordinance (#O-10-17) as presented. The motion carried unanimously.

6. Adoption of FY 17-18 Financial Operating Plan for Two Internal Service Funds #R-08-17

Mr. Caldwell noted that that the two internal service funds were developed as a way to properly allocate the full cost of shared services and more accurately allocates costs back to individual departments. This is specific to Asset Services Management and Garage Operations. The information is unchanged since the original presentation and discussion during the budget work session.

Alderman Feichter made a motion, seconded by Alderman Roberson, to adopt the Resolution on Financial Operating Plan for Two Internal Service Funds for fiscal year 2017-2018 (#R-08-17), Asset Services Management and Garage Operations, as presented. The motion carried unanimously.

7. Adoption of FY 17-18 Special Appropriations Schedule

Mr. Caldwell noted that there had been no changes in the special appropriations since the last review. The Board discussed setting a goal of having the special appropriations be limited to no more than one cent on the tax rate in the future.

Alderman Roberson made a motion, seconded by Alderman Feichter to adopt the Fiscal Year 2017-2018 Special Appropriations Schedule, as presented. The motion carried unanimously.

D. CONTINUED BUSINESS

8. Resolution of Intent to Close a Portion of Right-of-Way – Adams Street

Development Services Director Elizabeth Teague explained that while a call for public hearing had been completed and the date set for such, a resolution was required per statute to progress. Ms. Teague presented a resolution of intent to close a portion of the right of way on Adams Street in the cul-de-sac adjacent to PIN #8615-10-2998. She added that this resolution had to be published for four

consecutive weeks in a general circulation newspaper prior to the public hearing. Ms. Teague and Attorney's Griffin and Cannon consulted on this matter and determined that following the procedure outlined in NCGS § 160A-299 was best. Ms. Teague thanked the attorneys for their assistance with this issue.

Alderman Roberson made a motion, seconded by Alderman Freeman to adopt the Resolution of Intent Ordering the Closing of a Portion of the Adams Street Right-of-Way adjacent to PIN #8615-10-2998, as presented. The motion carried unanimously.

E. COMMUNICATIONS FROM STAFF

9. Manager's Report –Town Manager Rob Hites

Frog Level Parking Lot

Manager Hites explained that the existing lease on the Frog Level Parking Lot with the rail road has been on a month to month basis since 1992. The original lease did not allow for improvements to the lot. Manager Hites has negotiated a 10-year lease agreement that reduces the current monthly lease rate of \$200.00 to \$167.00 per month and includes an annual 3% escalator which is equal to the taxes for the property. Included in the new lease is permission to pave, add lighting and fencing between the rail road tracks and parking lot. Town staff will begin to do the engineering to bring back a cost estimate on this.

Alderman Freeman inquired about food trucks and use of the parking lot. Ms. Teague and Manager Hites agreed that if food truck operators wished to use a public right-of-way, a lease agreement, communication related to the opportunity and scheduling would be developed to assist in accommodating such requests.

Alderman Feichter made a motion, seconded by Alderman Freeman to approve the proposed lease agreement for the Frog Level Parking Lot and authorize the Town Manager to execute, as presented. The motion carried unanimously.

10. Attorney's Report – Town Attorney Woody Griffin

Attorney Griffin made a statement as this was his last official meeting as Town Attorney. He commented that this was a momentous day as he has done for 14+ years; he tried to give sound advice, even when it was not always a popular view. He was never influenced by board members in order to sway his opinion. Attorney Griffin added that he felt that he had been supportive of the board and never out front in any way. He appreciated opportunity to serve with 10 different board members, 2 mayors and a number of different staff members during his tenure. Attorney Griffin felt that this was a rewarding experience and the Town will never have a greater promoter than him.

Mayor Pro Tem Caldwell read aloud a Proclamation Honoring Town Attorney Woody Griffin and Thanking Him for His Service to the Town of Waynesville. Each of the Board members thanked Mr. Griffin for his advice, his service and his continued support of the Town. Mr. Griffin was met with a standing ovation.

F. COMMUNICATION FROM THE MAYOR AND BOARD

11. Approval of Resolution of the Town of Waynesville in Support of a State and National Goal of 100% Clean Energy by 2050 and the Creation of Green Jobs

Susan Williams presented information at the June 13, 2017 regular meeting related to approval of a resolution to support a goal of 100% Clean Energy by 2050 and the creation of green jobs. The Board considered her request and a resolution drafted.

Alderman Feichter made a motion, seconded by Alderman Freeman to approve the Resolution of the Town of Waynesville to support a State and National Goal of 100% Clean Energy by 2050 and the Creation of Green Jobs, as presented. The motion carried unanimously.

12. Appointment of Eddie Ward as Town Clerk

Assistant Town Manager Owens explained that Eddie Ward has been chosen to succeed her in the Town Clerk role. She noted that Ms. Ward has been with the Town for 11 years, has served as the Deputy Clerk for the past four years and has been actively pursuing her Master Municipal Clerk (MMC) certification. The MMC is a prestigious certification that only a very few in North Carolina have obtained. Owens added that Ms. Ward taking over as Clerk would allow her to move to a more administrative role in the Town.

Assistant Manager Owens swore Ms. Ward in as the Town Clerk effective July 1, 2017 and Mayor Pro Tem Caldwell read aloud a resolution from the Board naming Eddie Ward as the Town Clerk for the Town of Waynesville.

Alderman Roberson made a motion, seconded by Alderman Freeman to appoint Eddie Ward as Town of Waynesville Town Clerk effective July 1, 2017. The motion carried unanimously.

G. CALL ON THE AUDIENCE

Steve Brooker, retired Army Corp of Engineers, addressed the Board and thanked them for their approval of the Resolution for Clean Energy and Green Jobs. As an environmental engineer, he commented that this was a very doable goal and expressed his satisfaction with the decision.

H. CLOSED SESSION

13. Enter into Closed Session for the purpose of the discussion of Personnel – Town Manager’s evaluation and other personnel issues – under North Carolina General Statute §143.318.11(a)(6)

Alderman Feichter made a motion, seconded by Alderman Roberson to enter into closed session. The motion carried unanimously.

The Board entered into Closed Session at 7:31 p.m.

The Board returned from closed session at 7:45 p.m.

Upon returning from closed session an additional item of business was presented. The final settlement agreement offer from OSHA was presented as \$69,000.00.

Alderman Feichter made a motion, seconded by Alderman Freeman to authorize the execution of the settlement agreement and payment of the \$69,000.00 penalty. The motion carried unanimously.

Mayor Pro Tem Caldwell again thanked Attorney Griffin for his service and welcomed Attorney Bill Cannon. A small reception was held in the lobby area in recognition of Attorney Griffin. The public was invited to attend.

I. ADJOURN

There being no further business to discuss, Alderman Roberson made a motion, seconded by Alderman Feichter to adjourn the meeting at 7:47 p.m. The motion carried unanimously.

ATTEST

James G. Caldwell, Mayor Pro Tem

Robert W. Hites, Jr., Town Manager

Amanda W. Owens, Town Clerk