



TOWN OF WAYNESVILLE, NC

Board of Aldermen – Regular Meeting

Town Hall, 9 South Main Street, Waynesville, NC 28786

Date: **August 27, 2013** Time: **7:00 p.m.**

*The agenda and all related documentation may be accessed electronically at www.townofwaynesville.org.
Click on “**Download Forms**” to download materials for all town board & commission meetings.*

Consider the environment ♦ Conserve resources ♦ Print only when necessary

The Town of Waynesville provides accessible facilities, programs and services for all people in compliance with the American with Disabilities Act (ADA).

*Should you need assistance or accommodation for this meeting, please contact the Town at
(828) 452-2491*

townclerk@townofwaynesville.org

A. CALL TO ORDER - Mayor Gavin Brown

1. Welcome/Calendar/Announcements
2. Adoption of Minutes

Motion: *To approve the minutes of August 13, 2013 (regular session), as presented [or as corrected].*

B. NEW BUSINESS

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

Motion: *To approve FY13-14 program funding in the amount of \$1500 for Tuscola Air Force Jr. ROTC, as requested.*

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

Motion: *To approve the Memorandum of Understanding with Haywood County for IT Support Services as presented.*

5. Updates to the Town’s Purchasing Policy

Motion: *To adopt the revised Purchasing Policy as presented.*

TOWN OF WAYNESVILLE – REGULAR SESSION AGENDA

August 27, 2013

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

Motion: *To authorize the expenditure of up to \$100,000 for the following three purposes:*

- 1) development of Waynesville Recreation Master Plan*
- 2) resurfacing of tennis courts*
- 3) purchase of ADA-accessible mobile restroom unit*

C. UNFINISHED BUSINESS

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

Motions:

- 1) To open the public hearing*
- 2) To close the public hearing*
- 3) To adopt amendments to Section 14 of the Code of Ordinances to provide for the permitting of street performers on public property as presented [or as amended].*

8. FY13-14 Budget Amendment

Motion: *To adopt the FY13-14 Budget Amendment as presented.*

9. Resolution Honoring Ellis Hankins upon his Retirement as Executive Director of the NC League of Municipalities

Motion: *To adopt the resolution honoring Ellis Hankins, as presented, and forward a copy of the resolution to NCLM for presentation at the 2013 Annual Conference.*

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

Motion: *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.*

E. COMMUNICATIONS FROM STAFF

11. Town Manager – Marcy Onieal

- Employee/Departmental Recognitions
- Lake Junaluska Merger Update
- Gross Receipts Update

12. Town Attorney – Woody Griffin

TOWN OF WAYNESVILLE – REGULAR SESSION AGENDA

August 27, 2013

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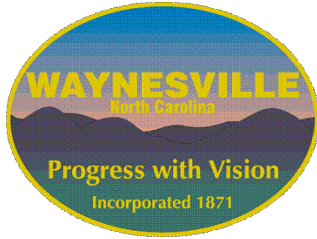
E. COMMUNICATIONS FROM MAYOR & BOARD OF ALDERMEN

F. CALL ON THE AUDIENCE

G. ADJOURN

ACTION ITEMS ANTICIPATED AT UPCOMING REGULAR MEETINGS:

- Approval of Deed Transfer-Property Conversion for U4412 Howell Mill Road Project
- Consideration of Property Purchase
- Adoption of Boards & Commissions Manual
- Award of IT Services Contract



TOWN OF WAYNESVILLE

PO Box 100
 16 South Main Street
 Waynesville, NC 28786
 Phone (828) 452-2491 • Fax (828) 456-2000
www.townofwaynesville.org

CALENDAR August 27, 2013

Su-Mo, Aug 24 – Sep 2	Waynesville Recreation Center Closed For Biennial Maintenance & Repairs
Mon, Aug 26 5:30-Dinner/6:00-Meeting DSS Training Room, 157 Paragon Parkway, Clyde	Haywood County Council of Governments Haywood County Hosting (followed by joint mtg of HCC/TOW/EDC)
Tue, Aug 27 7:00 PM Town Hall Board Room	Board of Aldermen, Regular Meeting
Thu, Aug 29 10:00AM – 12:30 PM Municipal Bldg Conf Rm	UNC-SOG Local Government Legislative Review Webinar Impact of legislation from 2013 NC General Assembly (Topics: Health & Social Services, Elections, Community Planning & Development, Environment, Public Employment)
Fri, Aug 30	GroWNC Public Comment Deadline Last Day for Public Comment on Draft Planning Document (Public Comment Open August 9-30)
Sat, Aug 31 1:00 – 5:00 PM American Legion Ball Field	1 st Annual Waynesville Craft Beer Festival
Sat, Aug 31 7:00 – 10:00 PM Main Street	DWA Block Party/Street Dance
Mon, Sep 2	Labor Day Holiday Town Offices Closed
Thu, Sep 5 10:00AM – 12:30 PM Municipal Bldg Conf Rm	UNC-SOG Local Government Legislative Review Webinar Impact of legislation from 2013 NC General Assembly (Topics: Local Govt Authority & Finance, Purchasing & Contracting, Emergency Mgmt, Ethics, Economic Development, Property Tax, Criminal Law)
Fri, Sep 6 5:30 PM Downtown Minipark Corner of Depot & Main	“Wildflowers of the Smokies” by Grace Cathey Dedication Ceremony & Reception for Public Art Piece Waynesville Public Art Commission

Fri, Sep 6 6:00 – 9:00 PM Downtown	Art After Dark, Gallery Stroll Haywood County Arts Council
Tue, Sep 10 7:00 PM Town Hall Board Room	Board of Aldermen, Regular Meeting <i>(Town Manager absent due to ICMA conference)</i>
Wed, Sep 11 10:30AM – 1:30PM Courthouse Lawn	9/11 Prayers of Remembrance Haywood County Courthouse Lawn
Sat, Sep 14 6:00 PM 1 st Methodist Church Gym Haywood St., Waynesville	Haywood County Emergency Responders Annual Dinner and Recognition
Tue, Sep 17 5:30 PM/5:00 PM (Dinner avail) Location TBA	Fall Board Retreat & Mgr Evaluation
Sa-Sa, Sep 21-Oct 5	NCDOT Annual Litter Sweep (Volunteers needed) 1-800-331-5864
Tue, Sep 24 7:00 PM Town Hall Board Room	Board of Aldermen, Regular Meeting
Wed, Sep 25	GroWNC Final Report Presentation Land of Sky Board & French Broad MPO
Fri, Oct 4 6:00 – 9:00 PM Downtown	Art After Dark, Gallery Stroll Haywood County Arts Council
Tue, Oct 8 7:00 PM Town Hall Board Room	Board of Aldermen, Regular Meeting
Thu, Oct 10 5:30 – 8:00 PM Regional High Tech Center/HCC 85 Freedlander Drive	OPT-IN Workshop for Haywood County Elected Officials Southwestern Commission Regional Visioning Workshop
Su-Tu, Oct 13-15 Hickory Metro Convention Ctr	NCLM Annual Conference Hickory, NC
Tue, Oct 22 7:00 PM Town Hall Board Room	Board of Aldermen, Regular Meeting
Mon, Oct 28 5:30-Dinner/6:00-Meeting Municipal Bldg-Old Board Rm	Haywood County Council of Governments Waynesville Hosting
Fri, Nov 1 6:00 – 9:00 PM Downtown	Art After Dark, Gallery Stroll Haywood County Arts Council
Tue, Nov 12 7:00 PM Town Hall Board Room	Board of Aldermen, Regular Meeting
We-Sa, Nov 13-16	National League of Cities Annual Congress of Cities Seattle, WA
Tue, Nov 26 7:00 PM Town Hall Board Room	Board of Aldermen, Regular Meeting

Fri, Dec 6 6:00 – 9:00 PM Downtown	Art After Dark, Gallery Stroll Haywood County Arts Council
Tue, Dec 10 7:00 PM Town Hall Board Room	Board of Aldermen, Regular Meeting
Tu-We, Dec 24-25	Christmas Holiday Offices Closed

BOARD/STAFF OUT-OF-OFFICE SCHEDULE

One Wed per month Sep 2013 – May 2014 8:00 AM – 5:00 PM	Town Manager	Leadership Haywood (10-session curriculum) Haywood County Chamber of Commerce
Fr, Sep 6	Assistant Town Manager	Vacation
Tu, Sep 10	Alderman Greeley	Out-of-Town
Tu, Sep 24	Alderman Roberson	Out-of-Town
Su-Su, Sep 22-25	Town Manager	ICMA Annual Conference Boston, MA
We-Th, Oct 2-10	Alderman Freeman	Out-of-Town
Th-Mo, Nov 7-11	Assistant Town Manager	Vacation
We-Fr, Nov 15-17	Assistant Town Manager	NCLGISA Annual Conference Pinehurst, NC
Su-Su, Dec 29-Jan 5	Town Manager	Vacation

FALL LITTER SWEEP

Sept. 21 – Oct. 5, 2013

VOLUNTEER LOCALLY

NORTH CAROLINA DEPARTMENT OF TRANSPORTATION
BIANNUAL CLEANUP DRIVE

Forms, posters and telephone listings are available on our website.

THE LITTER SWEEP HOTLINE

1-800-331-5864

www.ncdot.gov/~littersweep

SWAT-A-LITTERBUG

Let us know when a person is littering by contacting our Office of Beautification Programs through the Swat-A-Litterbug process. Find out more at www.ncdot.gov/~litterbug or call our Customer Service Office at 1-877-DOT-4YOU (1-877-368-4968).



**Flip up for
more information.**

FALL LITTER SWEEP

September 21–October 5, 2013



Please recycle this mailer after use.

Safety Rules and Guidelines For Volunteers

- Park in areas that: provide safe entrance and exit of the pickup area; do not create hazards with other vehicles and equipment operating near the work area; provide maximum protection for volunteers getting in and out of the vehicle.
- All volunteers must wear an NCDOT approved orange safety vest. It is a good practice to wear long-sleeve shirts, gloves and high-top boots to protect against unforeseen hazards.
- Take extra precautions to prevent heat and cold stress when working in extreme temperatures. Pick up only during daylight hours and stop work during inclement weather.
- Face oncoming traffic while on foot. Stay off the road at least five feet from the pavement edge.
- Do not pick up in ditches, tunnels, on road surfaces, bridges, overpasses or medians. Avoid any construction.
- Work in small groups, allowing ample space for each volunteer to work safely.
- Place tools in safe position so that sharp points are not exposed.
- Be aware of hidden obstructions that may have sharp edges and broken glass, especially in grassy areas.
- Do not attempt to squeeze bags to make room for more trash. Use caution when handling trash bags containing broken or sharp objects. Use proper lifting techniques when lifting bags.
- Do not pick up what appears to be hazardous material or any type of container with unknown contents (notify your Adopt-A-Highway coordinator or NCDOT maintenance office if you encounter hazardous objects or holes, guy wires and other hidden obstacles in the ground).
- Place trash bags where they can be easily retrieved by NCDOT personnel and well clear of roadway traffic.
- Do not use or possess illegal drugs or alcohol prior to or during a cleanup.
- Furnish adequate supervision by one or more adults 21 years of age or older for groups that have volunteers 12–17 years of age. All volunteers must be at least 12 years of age with adult supervision to participate.
- Know the routes to medical care in case of emergency and have an adequate first-aid kit immediately available.
- Conduct a safety meeting for all volunteers prior to each cleanup and go over all safety procedures, rules and guidelines. View the "North Carolina Adopt-A-Highway Safety" video and the "Colorado Meth Lab Waste Recognition" video prior to participating in a cleanup.

You can access all safety information and videos from our website at www.ncdot.gov/~littersweep.

Visit www.ncdot.gov/~littersweep
to download forms:

- Fall 2013 Litter Sweep poster
- Certificate of Appreciation request form
- Keep North Carolina Beautiful Most Unusual Litter Contest entry form
- Safety rules and regulations for volunteers
- Adopt-A-Highway reporting instructions
- Litter Sweep cleanup procedures
- Adopt-A-Highway media form
- For questions or to request copies, call 1-800-331-5864

Visit your local NCDOT maintenance office for gloves, safety vests, orange trash bags and blue recycling bags for glass, metal and plastic. Dispose of recyclables yourself and call your local NCDOT county maintenance office to pick up the filled orange trash bags from the roadside. Reminder: it is illegal to dispose of aluminum cans and plastic bottles in the landfills.

**THANK YOU FOR
PARTICIPATING SAFELY!**

FALL 2013 LITTER SWEEP

September 21–October 5, 2013

REQUEST FOR CERTIFICATE OF APPRECIATION *(Please print.)*

Issue in name of _____

Mail to _____

Address _____

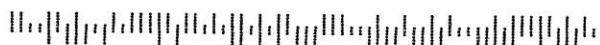
City _____ State _____ Zip _____ County _____

Phone (Work) _____ (Home) _____

Email _____

Deadline to request certificate is October 31, 2013.

Mail or fax to NCDOT Office of Beautification
1540 Mail Service Center
Raleigh, NC 27699-1540 / Fax: (919) 715-2554



CYB-SF1 28786

Town Manager of Waynesville
Post Office Box 100
Waynesville, North Carolina 28786

YEARS OF OUTSTANDING
VOLUNTEER COMMITMENT



ADOPT-A-HIGHWAY
(1988-2013)

Address Service Requested

North Carolina Department of Transportation
Office of Beautification
1540 Mail Service Center
Raleigh, NC 27699-1540
www.ncdot.gov/~beautification

PRESORTED
FIRST-CLASS MAIL
U.S. POSTAGE PAID
RALEIGH, NC
PERMIT NO. 365

NLC
SEATTLE
2013

NATIONAL LEAGUE OF CITIES
CONGRESS OF CITIES
AND EXPOSITION

www.nlc.org/CoC

WASHINGTON STATE CONVENTION CENTER
NOVEMBER 13-16, 2013

ALL ACROSS AMERICA CITIES LEAD

The National League of Cities Congress of Cities and Exposition is the nation's largest annual event for local elected officials and city staff, drawing almost 3,000 attendees from cities and towns of all sizes. **REGISTER TODAY!**



NATIONAL
LEAGUE
of CITIES



We are excited to welcome you to Seattle for the 2013 National League of Cities Congress of Cities and Exposition!

Seattle is a dynamic, vibrant city. Whether you have visited us before or are a first-time visitor we believe you will leave the conference with a newfound appreciation for our unique "Seattle spirit."

We are an innovative and entrepreneurial city. Some of the world's most recognizable and influential brand names and products were born right here in the Pacific Northwest. We are on the cutting edge in many sectors including technology, aerospace, life sciences, and healthcare. From software to airplanes to coffee, there are not many lives untouched by products pioneered in Seattle and the Pacific Northwest. During your visit you will see firsthand some of our innovative work through our mobile workshops and we are excited to share these successes.

Seattle is also a city with a thriving art, culture, music, and culinary scene. We hope you take the time to experience some of what Seattle has to offer in our many museums, world-class restaurants, legendary music venues, and nightlife options. During the closing event we are honored to bring you to one of Seattle's most unique venues designed to give you a one of a kind Pacific Northwest experience. We have also selected tours and activities throughout your four days to introduce you to our region's most charming, famous, and interesting offerings, without putting too big of a dent in your pocket book!

We can't wait for your arrival in the Emerald City. We know you will enjoy your time here and we are looking forward to an exciting, fun, and productive NLC 2013 Congress of Cities.

Enjoy Seattle!

HOST COMMITTEE

Mayor Mike McGinn
City of Seattle

Sally Clark
Seattle City Council, Association of Washington Cities Board Member

Richard Conlin
Seattle City Council, National League of Cities Board Member

Tom Rasmussen
Seattle City Council, Association of Washington Cities Board Member

Mayor David Baker
City of Kenmore, National League of Cities Board Member, Association of Washington Cities Board Member

Conrad Lee
City of Bellevue City Council

Mike McCarty
Executive Director/CEO Association of Washington Cities, National League of Cities Board Member

Tom Norwalk
President & CEO Visit Seattle

Mayor Charlie Royer
Former City of Seattle Mayor, Former National League of Cities President

Jared Smith
Parsons Brinkerhoff

Register Online at www.nlc.org/CoC

ALL ACROSS AMERICA CITIES LEAD

The 2013 Congress of Cities and Exposition will showcase the dynamic ways cities are driving change and finding successful solutions to the most pressing challenges in local government.

City officials and staff from across the country will come together in Seattle, Washington for a unique opportunity to share best practices and learn strategies to promote local economic and financial health, improve the built and natural environment, and ensure quality of life for all city residents.

PRELIMINARY SCHEDULE (subject to change)

TUESDAY Nov. 12

Registration

WEDNESDAY Nov. 13

Registration

Mobile Workshops

Preconference Trainings

First Time Attendee
Orientation

Networking Events

THURSDAY Nov. 14

Registration

Board of Directors
Meeting

Mobile Workshops

Preconference Trainings

Exposition Hall Open

Conference Wide Lunch
in Exposition Hall

Opening General
Session

Welcome Reception in
Exposition Hall

Networking Events

FRIDAY Nov. 15

Registration

Conference Workshops

Exposition Hall Open

Conference Wide Lunch
in Exposition Hall

Conference Workshops

Networking Events

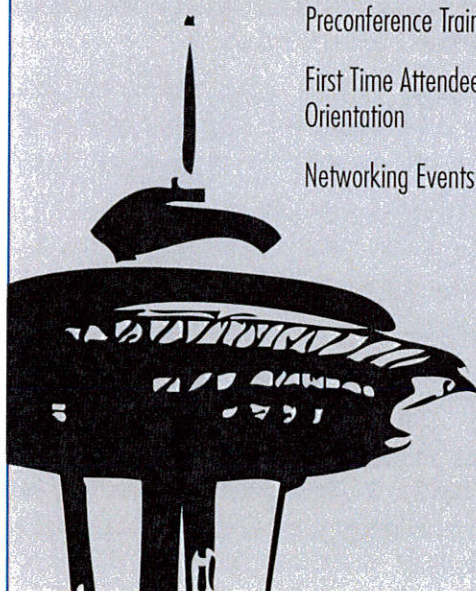
SATURDAY Nov. 16

Registration

Conference Workshops

Closing General Session
and Luncheon

Annual Business
Meeting



Register Online at www.nlc.org/CoC



MEMBER-DRIVEN CONFERENCE PROGRAMMING

This year's Congress of Cities will be one of the most dynamic and engaging NLC conferences to date. NLC went through numerous channels to gather member input for the types of topics and issues to be featured at the conference. You answered our call and we heard you loud and clear! Rest assured that issues most critical to you in your role as a local leader will be front and center during the conference.

NEW THIS YEAR!

New Session Formats

Besides the regular classroom style learning, NLC is shaking things up this year with several sessions being offered in innovative styles. Here are just a few you will see.

- **Deep Dive Sessions** will allow participants to delve further into the subject matter than the regular workshops. City teams are encouraged to participate together in these longer sessions.
- **Unconference Sessions** are your opportunity to design your own session! With NLC facilitation, delegates will identify the issues that matter most to them, and sessions will be created around the most popular topics.
- **Talk Show Workshops** will be lively, facilitated discussions designed to highlight critical challenges, new opportunities, and successful local models.
- **Sponsored Solution Sessions** comprise a series of substantive presentations from companies and organizations that will highlight products and solutions for cities, provide industry analysis important to municipalities, deliver case studies and best practices, and create the exchange of ideas on topics important to local officials.
- **Vendor Theaters** are energizing, 15-minute sessions that will take place at two presentation stages set up in the Exposition Hall. A number of exhibitors will be showcasing cutting-edge services, tools, and products that provide valuable information to local officials.

Evening Networking Events

There's no doubt that some of the most valuable takeaways from the Congress of Cities and Exposition are the relationships you build and cultivate with city leaders across the country. NLC is dedicated to making your experience both meaningful and fun, so more social events will be set up this year to increase your networking opportunities.

Seattle and Washington State Showcase

Visit the Showcase area of the Exposition Hall. Talk to representatives from the City of Seattle and other Washington cities who will be exhibiting projects and programs implemented with demonstrated success in their communities.

NLC NATIONAL LEAGUE OF CITIES
SEATTLE CONGRESS OF CITIES
2013 AND EXPOSITION

Register Online at www.nlc.org/CoC

CITIES LEAD... WITH KNOWLEDGE

Workshop sessions will be held Friday and Saturday and will be offered in a variety of formats. Content will address topics including economic development, public safety, civic engagement, and infrastructure, plus much more. Whether you are brand new to public office or local government, or you have lengthy experience, you will undoubtedly come away with new knowledge and ideas to take back home. **2013 WORKSHOPS:***

- *Managing Costs, Meeting Needs*
- *Revvig the Economic Engines of Smaller Communities*
- *Using Technology to Bolster Economic Development*
- *Ready to Work*
- *Tools and Techniques for Successful Downtown Revitalization*
- *Making Your City More Business Friendly*
- *Mobile Vending: Emerging Industry, Outdated Regulations*
- *Economic Development Financing Tools*
- *Shifting Expectations for Neighborhoods in Transition*
- *Creating Active Transportation Infrastructures That Promote Walking and Biking*
- *Challenges and Opportunities of Addressing the Needs of an Aging Population*
- *Extreme Weather Events and Adaptive Infrastructure*
- *Strategically Investing in Green Infrastructure Projects to Get the "Most Green for Your Greenbacks"*
- *Local Options to Finance Infrastructure*
- *The Suburbanization of Poverty: Local Challenges and Regional Solutions*
- *Engaging Residents in Solutions: Using Data and Technology to Improve Local Government*
- *Managing Emergencies: How Cities and Towns Can Prepare For Crisis Situations*
- *Successfully Reintegrating Veterans to Meet Community Needs*
- *Strengthening Our Communities, Promoting Public Safety*
- *Supporting Start-ups and Entrepreneurs*

**Subject to change*

CITIES LEAD... WITH SHARPENED SKILLS

Maximize your trip to the Congress of Cities by participating in pre-conference leadership training seminars. Offered on Wednesday, November 13th and Thursday, November 14th, these half and full day seminars are crafted to bolster your individual leadership skills in specific areas. Carefully selected trainers ensure you take away applicable techniques and strategies from each session. Seminars will fall under the following topic areas:

- Leadership/Communications/Advocacy
- Civic Engagement/Inclusion
- Management/Budget/Technology
- Topical (such as local food movement)

These seminars are still in development, but will be posted on the conference webpage as soon as they are finalized.

CITIES LEAD... WITH INNOVATIVE SOLUTIONS

Nearly 300 exhibit booths featuring key companies and organizations municipal leaders will want to connect with will be on-hand in the Exposition to provide you with services and solutions that will save money, make your city more efficient, increase the quality of life in your community, and help you serve your city better.

THERE IS SOMETHING FOR EVERY CITY HERE. WHAT WILL YOU DISCOVER?

CITIES LEAD... WITH GOODWILL

Take some time while you're at the conference to contribute and give back to the City of Seattle and communities all over the country. NLC is once again partnering with Good 360 to give conference delegates the opportunity to give the gift of some of their time in order to make a difference. Delegates will assemble kits for veterans and their families that will help them more successfully adjust and reintegrate back into their community after a deployment.

CITIES LEAD... IN ALL SHAPES AND SIZES

Big cities, small towns, urban, suburban, and rural: you'll find it all at the Congress of Cities and Exposition. NLC proudly welcomes cities and communities of all sizes and types, and ensures that conference programming addresses this broad audience. In addition to the conference workshops, delegates are encouraged to attend any of the member council meetings, which include:

- Large Cities Council
- Small Cities Council
- First Tier Suburbs Council
- University Communities Council
- Military Communities Council

Will this be your first NLC conference? Are you a newly elected official? NLC provides special programming for you, including a concierge service to help you navigate the conference and a lively New Member/First Time Attendee Session where you'll have the opportunity to learn about NLC, meet other new delegates, and interact with longtime members and NLC leadership.

Young Elected Officials are an important part of NLC! Look for special programming this year to allow young elected officials to connect with each other and find a place in NLC.

Bring a team from your city and take full advantage of all conference offerings. Register five from your city and the sixth registration is free.

CITIES LEAD... THE CELEBRATION!

This year's closing gala will be an event not to be missed! Join your fellow delegates at one of Seattle's most famous venues, with music, dancing, and spectacular food from world renowned chefs as you explore the contemporary, cutting edge venue — Seattle's Experience Music Project (EMP).

Register Online at www.nlc.org/CoC

CITIES LEAD... ON THE ROAD

Host City Seattle has developed several mobile workshops that will be available on Wednesday, November 13th and Thursday, November 14th. These workshops, which are like mini field trips through different neighborhoods and feature Seattle or surrounding cities, are free to any registered conference delegate (but reservations are required as space fills up!). The Seattle region has a lot of knowledge to share, so don't miss out on this experience. **Mobile Workshops this year include:**

- The Power of Community Engagement: Revitalizing a Neighborhood, Maintaining Its Character
- Community Emergency Hubs: Supporting the Community in their Resiliency
- City of Seattle's Zero Waste Strategy: Tour of Republic Services Recycling Facility — *Sponsored by Republic Services*
- Microsoft Campus Tour — Insight into Making Your City Safer Using the Power of Big Data — *Sponsored by Microsoft*
- Community Schools Collaboration
- LED Street Lighting Conversion: Saving Your Community Money, While Improving Public Safety
- Making Your Community Digitally Inclusive: Strategies for Bringing Technology to Neighborhoods
- Microsoft Campus Tour — Modernize Your City with Connected Citizen Services — *Sponsored by Microsoft*
- Pathways to Careers: Public-Private Partnerships to Fill Skills Gaps
- Going Metro: Suburban Transformation in the 21st Century — *Sponsored by the City of Bellevue*
- Transformation of South Lake Union Neighborhood
- The Living Building Challenge: What Your City Can Learn from the Greenest Commercial Building in the World
- Reaching Maximum Velocity: How the City of Kenmore is Leveraging Local Businesses to Strengthen Economic Development Efforts — *Sponsored by the City of Kenmore*

SPOUSE/GUEST TOURS:

While delegates are in sessions all day... the conference guests go out to play! Choose from six exciting tour options Wednesday through Friday and experience what Seattle and its surroundings are all about. Tours are offered at a small fee. Register early to guarantee your spot. **Tours offered include:**

- Walking Tour of Pike Place Market — The "Soul of Seattle"
- Woodinville Wine Tour
- Microbrew & Distillery Tour
- Chocolate Tour of Seattle
- Ferry Ride and Lunch on Bainbridge Island
- Underground Tour of Seattle and Ride the Ducks Tour



Register Online at www.nlc.org/CoC

WHILE YOU'RE IN SEATTLE...

TAKE ADVANTAGE OF TWO NLC CONFERENCES IN ONE WEEK!

The biennial Summit is the nation's largest gathering of municipal leaders who are working to improve the lives of children, youth, and families in their communities. Hundreds of mayors, city councilmembers, senior municipal staff, and school and community partners will gather in Seattle to take advantage of a unique mix of learning, training, and networking opportunities.

This year, a redesigned and highly interactive Summit will immediately precede NLC's Congress of Cities and Exposition, giving local leaders the option of participating in both events. In addition, NLC will launch a new strategic partnership with the Urban Libraries Council (ULC) by hosting joint sessions that bring together Summit attendees with participants in ULC's Partners for Success conference.

Get the most bang for your buck with a special combination registration rate for both the Summit and the Congress of Cities and Exposition. Pricing and event details at www.nlc.org/2013summit.

NATIONAL SUMMIT ON YOUR CITY'S **FAMILIES**

NOVEMBER 12-14, 2013
SEATTLE, WASHINGTON

www.nlc.org/2013Summit



NETWORK WITH PEERS | FIND SOLUTIONS | REENERGIZE YOUR EFFORTS



REGISTER NOW AT DISCOUNTED RATES!

www.nlc.org/CoC

T12 P1
Marcy Onieal
Town Manager
Town Of Waynesville
PO Box 100
Waynesville NC 28786-0100



NLC NATIONAL LEAGUE OF CITIES
SEATTLE CONGRESS OF CITIES
2013 AND EXPOSITION

REGISTER ONLINE NOW!

WHY YOU SHOULD ATTEND

At the Congress of Cities and Exposition you will:

- Learn new and different solutions to your community's most pressing challenges
- Discover innovative ways to lead successfully
- Share experiences and insights with fellow local leaders and staff from all over the country
- Fine tune your skills to become the best leader you can be, no matter what your position
- Build connections with colleagues across the country that will last long after the conference ends
- Find opportunities to collaborate with private sector partners for solutions

www.nlc.org/CoC

MINUTES OF THE TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REGULAR MEETING
August 13, 2013

THE WAYNESVILLE BOARD OF ALDERMEN held a regular meeting on Tuesday, August 13, 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/Deputy Clerk
Eddie Ward, Deputy Clerk

Representing the media:

Mary Ann Enloe, The Mountaineer
Caitlyn Bowling, Smoky Mountain News

1. Welcome /Calendar/Announcements

Mayor Brown welcomed everyone and referred everyone to the calendar of events received in the agenda packets. Manager Onieal made mention of the opening date of the Haywood County Fair on August 21, 2013, and a Town Hall meeting at Haywood Community College with U. S. Representative Mark Meadows on August 20, 2013. On August 26, 2013 at 5:30 p.m., Haywood County Council of Governments will meet in the DSS Training Room, 157 Paragon Parkway. Manager Onieal will be attending a ten-session Leadership Haywood program, one Wednesday per month, beginning in September.

2. Adoption of Minutes

Alderman Caldwell made a motion, seconded by Alderman Greeley, to approve the minutes of the July 18, 2013 and July 30, 2013 meetings as presented. The motion passed unanimously.

B. NEW BUSINESS

3. Authorization to Solicit Request for Proposals (RPF) for information Technology (IT) Services

Manager Onieal stated that Town Staff has spent the better part of the year assessing where the Town stands in IT technology, infrastructure and support needs. The Town engaged the services of VC3 to perform a comprehensive IT inventory and assessment. Their report stated the need for improvements in hardware and software standards, data redundancy and security, routine support and follow-up and ongoing employee training. The assessment presented different paths and cost estimates to address many of these needs. Having completed the planned assessment, and having consulted with multiple vendors and independent consultants since the VC3 report was delivered, staff is prepared to move forward with issuing a request for quotes with at least six regional vendors expressing interest in submitting a proposal.

A motion was made by Alderman Greeley, seconded by Alderman Roberson, to authorize staff to issue a request for proposals for IT services based on findings of the Comprehensive IT Assessment Report as presented. The motion passed unanimously.

4. Call for Public Hearing to consider amendments to Section 14 of the Code of Ordinances, to provide for the Permitting of Street Performers on Public Property.

Manager Onieal said the Town of Waynesville finds street performers provide a public amenity that enhances the character of the town and seeks to encourage such performances in such a manner consistent with the overall public interest. The Town also recognizes that street performers seek to, and do, draw crowds to their performances, which can create safety problems by impacting the ability of pedestrians to move safely on sidewalks and through crosswalks and impeding the response time of safety personnel. It can also impact access to and egress from businesses. Heretofore, street performers have been prohibited from collecting payment for street performances. A draft of Ordinance 07-13 Amendment to Chapter 14 of the Code of Ordinances of the Town of Waynesville was included in the agenda, which addresses safety, permitting, monetary, and other regulatory issues. Manager Onieal said the draft had been reviewed by the Downtown Waynesville Association, which was generally supportive of the draft ordinance, provided the town does not permit street performers during town-sanctioned festivals and events.

A motion was made by Alderman Caldwell, seconded by Alderman Freeman to call for a public hearing on August 27, 2013 at 7:00 pm, or as soon thereafter as possible, in the Board Room of Town Hall, 9 South Main Street, for the purpose of considering amendments to Section 14 of the Code of Ordinances to provide for the permitting of street performers on public property.

C. UNFINISHED BUSINESS

5. Appointments to Boards & Commissions

➤ Historic Preservation Commission – 1 vacancy (3-yr term ending June 30, 2016)

At the last Board meeting, Richard Kent Stewart was appointed to the Historic Preservation Commission. After that meeting it was brought to the staff's attention that Mr. Stewart was ineligible to serve on the commission because of his residency. Therefore, the staff recommends that Ann Melton be reappointed to the commission for a three year term.

A motion was made by Alderman Greeley, seconded by Alderman Freeman, to acknowledge the appointment of Kent Stewart to the Historic Preservation to have been made in error, due to ineligibility to serve based on residency, and to appoint instead Ann Melton, to a three-year term ending June 30, 2016.

➤ Public Art Commission

Barbara Dias was appointed to the Public Art Commission at the last Board meeting, but after multiple attempts over several weeks to contact the applicant, the applicant has not responded; therefore the staff recommends Dominick DePaolo to serve on this commission with a term ending June 30, 2016.

A motion was made by Alderman Freeman, seconded by Alderman Roberson, to appoint Dominick DePaolo to a three-year term on the Public Art Commission, ending June 30, 2016. The motion passed unanimously.

➤ Recreation Commission – (3) vacancies (3-yr terms ending June 30. 2016)

At the last Board meeting, it was unclear whether the Recreation Commission was to have seven or nine members, and appointments to that board were deferred. After researching past minutes, the most recent authorizing legislation (Resolution R-28-06) indicates there should be nine members, meaning there are 3 vacancies on the Commission.

A motion was made by Alderman Greeley, seconded by Alderman Roberson, to appoint Don Frady, Sarah Massie, and Linda O'Neil to three-year terms on the Recreation Commission, ending June 30, 2016. The motion passed unanimously.

➤ Zoning Board of Adjustment – 4 vacancies (regular members); 2 vacancies (alternates)

The Zoning Board of Adjustment was downsized with the last amendment to the Land Development Standards. The current make up of the Board requires 4 appointees from the Town and 1 from the ETJ. There are 5 full time members and in the event of absence or inability to fulfill term, the first alternate steps into that role. There should always be an alternate that can move into the role on the Board in case of absence.

A motion was made by Alderman Roberson, seconded by Alderman Caldwell, to appoint the following residents of the Town of Waynesville's Extraterritorial Jurisdiction (ETJ) to the Zoning Board of Adjustment: Neal Ensley to an unexpired term ending 6/30/15, Boyd Medford as 1st alternate, and John Richardson as 2nd alternate. The motion passed unanimously.

A motion was made by Alderman Freeman, seconded by Alderman Greeley, to appoint the following residents of the Town of Waynesville to the Zoning Board of Adjustment: Jack Suddath to a three-year term ending 6/30/16, Stephanie Strickland to a three-year term ending 06/30/16 and Ken Stahl to an unexpired term ending 6/30/15. The motion passed unanimously.

A motion was made by Alderman Freeman, seconded by Alderman Greeley, to appoint David Felmet as 1st alternate for the Town of Waynesville. The motion passed unanimously.

D. ITEMS FOR BOARD DISCUSSION

6. Request for easement to Install Natural Gas Service to property located at 34 S Main Street (request of contractor Ron Leatherwood on behalf of clients Libba and Jon Feichter, New Meridian Technologies)

Ron Leatherwood, of Clark & Leatherwood Contractors, requested on behalf of building owners Libba and John Feichter, that the Town grant a right-of-way to PSNC for the installation of a gas line at 34 S Main Street, through the parking lot at the Town of Waynesville Municipal Building. Mr. Leatherwood stated there would be six or more businesses in the building at 34 S Main Street, and it would be more economical to install a gas line for PSNC through the Town's parking lot rather than disrupt Main Street to run directly into the owner's property. Mr. Leatherwood said that PSNC would cut two 4X4 holes in the Town's parking lot and have them repaved within two weeks. The building will be heated by electric heat pump and the gas line is intended for emergency heat, during extremely cold weather. They have a commitment to a tenant to move in Sept 1 and would like to have everything in place before that date.

There was much discussion about the location of the gas line and the time frame involved before cold weather. Several board members suggested that alternate locations would be preferable to running through the center of the Town parking lot. Manager Onieal explained that a right of way for gas line would permanently encumber the property, as nothing could ever be built on top of a buried gas line, but indicated that running a line from Church Street along the outside edge of the parking lot by the retaining wall would be the preferred location from the Town's point of view. She also mentioned safety concerns associated with locating an exposed gas meter in the driving lane since there is no clearance, but that the contractor had agreed to locate the meter in the corner of the lot between the Gateway Club's fire escape and the existing tree well, which is a more protected location in the lot.

Alderman Freeman stated the Municipal Building was a Historic Building and because of that it is unlikely the Town would be building across the lot. She said she is not opposed to cutting the parking lot in order to give a neighboring business more convenient access to gas service. She stated she would rather disrupt the Town's parking lot versus Main Street.

Alderman Freeman made a motion, seconded by Alderman Greeley, to grant a request for easement to install natural gas service to the property located at 34 South Main Street. The motion passed unanimously.

7. Request to designate Love Lane as a neighborhood of historic significance and designate August 23, 2013 as Love Lane Day in the Town of Waynesville. (Request of Historic Preservation Commission)

Manager Onieal stated the Historic Preservation Commission requested the Town designate August 23, 2013 as "Love Lane Day" in the Town of Waynesville in recognition of the founder of Waynesville Colonel Robert Love's birthday. Historic Commission Member Ann Melton stated she felt that because Love Lane was considered the oldest street in Waynesville, there should be recognition for that street. She also requested that the Town install signs at either end of the street marking its historic significance.

By consensus, the Board agreed to designate August 23, 2013 as Love Lane Day in the Town of Waynesville; and to direct staff to work with the Historic Preservation Commission to install appropriate signage marking the street for its historic significance.

E. COMMUNICATIONS FROM STAFF

8. Town Manager – Marcy Onieal

Voluntary Annexation Request—Manager Onieal reported she had received a voluntary annexation request by Corinne and Woody Baker, who are interested in renovating a property located on 23/74 bypass, formerly the Billy Case Realty office and converting the space to a microbrewery, tasting room and retail home-brewing establishment. Because the property is in foreclosure, and currently owned by Old Town Bank, they do not technically have standing to request annexation, but before they purchase the property, they would like to know if there is a possibility of being annexed into the Town of Waynesville, since an ABC permit would be required to operate such a business. They feel the business would be profitable for them and for the Town. Alderman Roberson stated he did not feel the property should be annexed because this would be a satellite annexation of some considerable distance from the Town's corporate limits, and he is not in favor of this. The remainder of the Board of Aldermen agreed with Alderman Roberson. No further action was taken.

Lake Junaluska Merger Update—Manager Onieal commended the Smoky Mountain News and the Mountaineer on the coverage in the newspapers had given the Lake Junaluska merger. She said the Community Council is still actively meeting and talking in an effort to pursue annexation and are working on a petition of registered voters. Ms. Onieal shared the new proposed rates for municipal services Junaluska residents will be paying to the Assembly as of January 1, 2014, noting that their assessments will be the equivalent of more than 42 cents on the tax rate and that solid waste, water and sewer base rates will be almost double that charged by the town.

U4412 Howell Mill Road Project Property Conversion—Manager Onieal said that the property conversion associated with the NCDOT Howell Mill Road Project has finally been approved by all vested parties and that we are simply waiting on NCDOT to acquire the converted property from Owners Wade & Tomlinson in exchange for a small section of Town property at Rec Park. The converted parcel is adjacent to the Dutch Fisher Park and will be used by the Town for greenway development. Formal approval of the land transfer will come back before the board. There is no cost to the town for the conversion.

Potential Cell Tower Lease—The Town has received a request from Verizon to locate a 145-foot monopole cell phone tower on Town property at Dutch Fisher Park. The tower will include a 60 X 60 fenced area for safety and security. Manager Onieal indicated this was a request to lease town property and that the Town's land development standards promote location of towers on public property. An alternative site would be Waynesville Middle School property. If neither property is acceptable, then negotiations would begin with private property owners for a location in the west/central quadrant of the town. A broker for Verizon will be inspecting the property and will send a specific request and standard lease agreement for board consideration at a later date.

Haywood Economic Development Restructuring Proposal Update--Manager Onieal stated that there continues to be discussion about restructuring the Economic Development function in the county, which was initiated by the Haywood County Commissioners. The Chamber of Commerce is now considering what an EDC function would look like if merged with, or absorbed by, the Chamber of Commerce, and discussion is focused around three specific areas: organizational structure, finance, and marketing. She and the mayor are participating in these discussions.

Fall Retreat for Board of Aldermen--Because the retreat earlier in the year was devoted exclusively to the IT Assessment and the Lake Junaluska study, Manager Onieal would like to have a fall retreat to discuss other board priorities and the manager's performance assessment after her first year in the position. ***It was the consensus of the Board to hold the retreat on Tuesday, September 17, 2013 at 5:30 pm, location to be announced.***

NCLM Conference Attendance & Voting Delegate—The annual NC League of Municipalities Conference is going to be held October 13 – 15, 2013 in Hickory. Manager Onieal asked for any Board Member that could attend let her know so she can reserve rooms. Customarily, the voting delegate is one of the attending board members and she serves as alternate voting delegate. Mayor Brown indicated his intent to attend the 2013 conference.

Resolution Recognizing NCLM Retirement—There will be a special recognition during the League's annual conference on the occasion of Executive Director Ellis Hankins's retirement, after many years of service.

US Conference of Mayors—A resolution for America Fast Forward Transportation supports the creation of a 21st century national surface transportation system by creating a new category of qualified tax credit bonds. Manager Onieal indicated that the mayor would be signing this resolution and publicly supporting the initiative through the US Conference of Mayors, unless anyone on the board had objections. ***There was no board opposition to the Town's support of this proposed resolution.***

**Opt-in (7 Southwestern County Visioning /Planning Process
GroWNC (Land of Sky Regional Council Visioning/Planning**

Both of these agencies are undertaking major regional economical development plans, and Waynesville is a participant in both studies, with Manager Onieal having served on the steering committee of GroWNC for the past year, representing Haywood County. Both plans are in draft stage and open for public comment and participation.

9. Town Attorney Woodrow Griffin – No Comment

E. COMMUNICATIONS FROM MAYOR AND BOARD OF ALDERMEN

No Comment

F. CALL ON THE AUDIENCE

Woody and Corinne Baker expressed appreciation to the Board for considering their request to annex the property they proposed to buy on US 23/74, and that despite the Board's lack of support for the annexation, they would still like to locate their business in Waynesville if a suitable site could be found.

G. ADJOURN

With no further business, a motion was made by Alderman Caldwell, seconded by Alderman Greeley to adjourn at 8:30. The motion passed unanimously.

ATTEST

Gavin A. Brown, Mayor

Marcia D. Onieal, Town Manager

Eddie Ward, Deputy Town Clerk

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: August 27, 2013

SUBJECT: Request by Tuscola Air Force Jr. ROTC for FY13-14 Program Funding

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: B-3
Department: Finance
Contact: Eddie Caldwell, Finance Director
Presenter: Marcy Onieal, Town Manager

BRIEF SUMMARY:

Because school is not usually in session at the time the Town's annual budget is adopted, representatives from Tuscola High School Air Force Junior ROTC program usually make a request for program funding to the Board of Aldermen each fall in person. Since FY09-10, the Board has awarded an annual appropriation of \$1600 to Tuscola AFJROTC. The Board of Aldermen has already approved a special appropriations budget for this year that includes \$1,500 set aside for Tuscola ROTC for the 2013-14 school year.

MOTION FOR CONSIDERATION: *To approve FY13-14 program funding in the amount of \$1500 for Tuscola Jr. ROTC, as requested.*

FUNDING SOURCE/IMPACT: General Fund, \$1,500 already approved in the FY13-14 budget under Special Appropriations

ATTACHMENTS: Special Appropriations summary sheet.

MANAGER'S COMMENTS AND RECOMMENDATIONS: Adopt as presented.

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: August 27, 2013

SUBJECT: Multijurisdictional Memorandum of Understanding with Haywood County for Public Safety Information Technology Support Services

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 4-B
Department: Police Department
Contact: Bill Hollingsed, Police Chief
Presenter: Marcy Onieal, Town Manager

BRIEF SUMMARY: The Town's Police Department has been fortunate to receive IT support from the Haywood County Information Technology (IT) Department for a variety of hardware and software programs that are specific to, and shared by, area law enforcement agencies for the last several years. 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. However, the need for support by the Town and Maggie Valley has reached a level where Haywood County has requested that the Town provide some regular payment for the support, and in return the Town will receive a portion of a new *dedicated* 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, Waynesville, and Maggie Valley. Waynesville will receive no less than six hours of on-site technical work each week, as well as 24x365 support. The intent of the MOU is to formalize an agreement for provision of service the Town already partially receives, and to provide a clear outline of what additional services the technician will be able to provide.

This will not duplicate the services and support the Town anticipates receiving from whichever vendor is awarded the Town's comprehensive IT services contract. As we move forward with town-wide IT improvements, the Police Department will be included in many those, however, because of the FBI data protection requirements for law enforcement data, the need for some on-site support from the Haywood County IT Department for these specialized IT needs will remain for the foreseeable future.

MOTION FOR CONSIDERATION: To approve the Memorandum of Understanding with Haywood County for IT Support Services as presented.

FUNDING SOURCE/IMPACT: General Fund - \$200/week or \$10,400 annually, already included in the approved fiscal year 2013 – 2014 budget for the Police Department.

ATTACHMENTS:

- MOU between Haywood County, Waynesville and Maggie Valley

MANAGER'S COMMENTS AND RECOMMENDATIONS: Adopt as presented.

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING ("MOU") is made as of the ____ day of ~~July~~August, 2013, by and between Haywood County, North Carolina, a body politic and corporate (the "County") the Town of Waynesville ("Waynesville") and the Town of Maggie Valley ("Maggie"); and collectively the "Parties".

RECITALS:

WHEREAS, the Parties have had meetings pertaining to sharing the support costs for a Part Time Information Technology Public Safety Technician ("Technician") who would be an employee of the County but would perform services for the Parties in accordance with this MOU; and

WHEREAS, the Parties would provide office space at their location, and the Haywood County Sheriff and Municipal Police Chiefs would be considered the primary Point of Contact for the Technician and the Haywood County Director of Technology and Communications will manage the Technicians time, assigned tasks, and deployment to each location; and

WHEREAS, the County will provide twelve (12) months of software services and technology support for the Technician through the Haywood County Technology and Communications Office, supporting all County-standard hardware including desktops, mobile computers, printers and servers (the "Devices") which will be purchased by and housed within the designated location for each of the respective Parties, subject to the term and responsibilities under existing support contracts with third party vendors; and

WHEREAS, the Devices will run currently supported licensed operating systems with the networks of each of the Parties to be bridged together and the initial approved incurred connectivity costs to become the responsibility of each of the respective Parties.

NOW, THEREFORE, the Parties hereby agree as follows:

1. **Effective Date.** The effective date of this MOU shall be ~~July~~July 1, 2013.
2. **Software Support Services.** The County will provide software support services to the other Parties, including, but not limited to:
 - a. Law enforcement local, state and federal programs.
 - b. In-Car camera systems (iCop, Kustom Signals, 5-0, etc.).
 - c. Public Safety CAD (Computer-Aided Dispatch), RMS (Records Management Systems), Mobile RMS, DCI (Division of Criminal Investigations).-
 - d. Support of mobile data terminals (laptops) and MiFi devices.
 - e. County Supported Email (licenses must be purchased for all users and costs incurred to become the responsibility of each of the respective

Parties)---including calendar sharing and wireless mobile phone/tablet syncing of email contacts and calendars.

- f. Management of historical data(back up services).
- g. County-supported desktop computer software including MS Office, virus protection, and other relevant business software (licenses must be purchased for all users and costs incurred to become the responsibility of each of the respective Parties).
- h. Data connectivity, VPN and remote support.
- i. Software installation and management.

3. **Technology Support Services.** The County will provide technology support services to the other Parties, including, but not limited to:

- a. Installation and repair of County standard hardware.
- b. 24hr x 365day Help Desk support for supported technology.
- c. After hours support will be provided by the On Call IT Technician.
- d. Permission management of network, server and application environment.
- e. Back-up and data restoration of files kept on County supported servers to ensure protection of data.
- f. Technology Purchasing support and recommendations.

4. **Schedule of Technician.** The Technician will be deployed and dedicated to the Town of Waynesville Police Department for no less than six (6) hours of support each week. On site hours will be determined as mutually agreed upon. The Technician will be deployed and -dedicated to the Town of Maggie Valley Police Department ~~and the Town of Maggie Valley~~ for -one (1) day each month, with no less than six (6) hours of support each month. On site hours will be agreed upon. Any and all support requests will be logged and tracked using the Track-It Help Desk software.

~~5. **Estimated Weekly Cost of Technical Support Services.** The cost of the dedicated on-site Technician shall be \$200.00 per visit. Town of Waynesville Police Department has budgeted the expense of the position annually at \$10,400 that will allow for a weekly site visit for fifty-two (52) weeks. The Town of Maggie Valley Police Department ~~and the Town of Maggie Valley will share the~~ has budgeted the expense of the position annually at \$2,800 that will allow for a 14 visits during the twelve month period.~~cost and support rotation of one (1) day each month for a monthly charge of \$200, or \$4800 annually.~~~~

5.

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6. **Severability.** In the event any portion of this MOU shall be determined to be invalid under any applicable law, such provision shall be deemed void and the remainder of this MOU will remain in full force and effect.

7. **Section Headings.** All section headings contained herein are for convenience of reference only and are not intended to define or limit the scope of any provision of this MOU.

8. **Entire Agreement; Amendments.** This MOU constitutes the entire agreement between the Parties with respect to the matters contemplated herein and shall not be modified, amended, altered or changed except by a writing signed by the parties. Any proposed changes shall be provided to the other Parties in writing no later than December 31 of the year preceding -the year in which the change is desired.

9. **Counterparts.** This MOU may be executed in one or more counterparts each of which shall be deemed an original and all of which together shall constitute a single agreement.

10. **Renewals/Termination.** This MOU will automatically renew each year on the anniversary of the Effective Date, unless terminated by written notice of any Party to all other Parties, no later than December 31 prior to the next anniversary of the annual Effective Date.

[Signatures Begin on Succeeding Page]

IN WITNESS WHEREOF, the parties hereto have executed this MOU under seal, after due approval of their respective governing boards, in duplicate originals as of the date first set forth above.

HAYWOOD COUNTY:

By: Board of County Commissioners

By: _____
Chairman

TOWN OF WAYNESVILLE:

By: Board of Aldermen

By: _____
Mayor

TOWN OF MAGGIE VALLEY:

By: Board of Aldermen

By: _____
Mayor

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: August 27, 2013

SUBJECT: Updates to the Town's Purchasing Policy

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 5-B
Department: Finance - Purchasing Division
Contact: Julie Grasty, Purchasing Supervisor
Presenter: Julie Grasty, Purchasing Supervisor

BRIEF SUMMARY: The purchasing process for municipalities in North Carolina is governed in large part by state law. But while the law provides the framework for the purchasing decision, much of the internal decision-making and process can be determined at the local level. Waynesville operates with a centralized Purchasing system, which allows for efficient and strategic use of a variety of purchasing methods, and when Julie Grasty assumed the position of Purchasing Supervisor, one of her first tasks was the creation of the Town's first written purchasing policy. A written Purchasing Policy was first approved in 2007, with some significant revisions in 2011. Employees are not expected to memorize the policy, but know that this is available as a reference. It is also made publicly available via the town website to any vendors or potential vendors so they may understand the purchasing process within the Town. The version of the Policy now presented contains the following additions/changes:

1. A section on buying environmentally responsible ("green") goods and services was included. (New, Section 3)
2. During the budget process for the current budget, the threshold for capital purchases was raised from \$1,500 to \$5,000, an amount that brings the town in line with the thresholds used in other similar-sized communities. Departments must have the funds for items costing \$4,999 and less in their operating budget, and still make every attempt to receive three quotes. Additionally, a Purchase Order to allocate the funds is still required for purchases over \$500. (Change, Section 5)
3. A section on the purchase of vehicles and other rolling stock was added, to clearly outline departmental and purchasing department responsibilities. (New, Section 7)
4. Construction and repair contracts have a number of specific requirements, one of which is the inclusion of performance and payment bonds with the bid. This requirement, and a clarification of the approval process, are now included. (New, Section 8).
5. Contracts, particularly service contracts, are often negotiated at the departmental or facility level. A section was added outline the differences in approving a purchase or contract and the authority to sign a contract on behalf of the town. (New, Section 10)
6. Every employee who has a town-issued purchasing card (credit card) must sign the internal agreement annually, not just when the card is first approved and issued. (New, Section 17).
7. Some minor grammatical changes were made throughout the document, and sections reorganized for clarity and readability.

MOTION FOR CONSIDERATION: To approve the revised Purchasing Policy as presented.

FUNDING SOURCE/IMPACT: N/A

ATTACHMENTS:

- Town of Waynesville Purchasing Policy, revision 3

MANAGER'S COMMENTS AND RECOMMENDATIONS: Approve as presented.



TOWN OF WAYNESVILLE, NORTH CAROLINA

Administrative Policies and Procedures

Purchasing Policy and Procedures

Effective Date: August 27, 2013

Supersedes: September 2011

Revision # 3

Purchasing Department (828) 456-5114

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1. Purpose

This purchasing policy and procedures manual is intended for use as a guide to the Town of Waynesville's purchasing methods and practices. While this manual does not answer all questions related to purchasing, it does provide the foundation for a sound centralized purchasing system.

The goals of the Town's purchasing program are:

1. To comply with the legal and ethical requirements of public purchasing and procurement.
2. To receive maximum value for each dollar spent by awarding purchase orders to the lowest responsible bidder, taking into consideration quality, performance, technical support, delivery schedule, past performance, and other relevant factors.
3. To provide Town departments the required goods, equipment, and services at the time and place needed and in the proper quantity and quality.
4. To professionally administer the search for sources of supplies, the development of new sources, the selection of suppliers, negotiations, commitment, follow-up, and adjustments.
5. To promote good and effective vendor relations, cultivated by informed and fair buying practices and strict maintenance of ethical standards.
6. To effect maximum standardization of products used within and among departments in order to minimize stock levels and obtain better prices.

If the procedures and guidelines established in this manual are followed, each department can efficiently manage, control and plan its available resources to meet present and future departmental needs.

2. General Guidelines for Purchasing Supplies and Materials

2.1 Local Buying

It is the desire of the Town to purchase from vendors located within Waynesville and Haywood County whenever possible. This can be accomplished by ensuring that local vendors who have goods or services available are included in the competitive purchasing process. However, the Town has a responsibility to its residents to ensure that the maximum value is obtained for each public dollar spent. **The Town cannot and will not make purchasing decisions solely on the basis of vendor residence.**

2.2 Buying Proper Quality

Quality and service are as important as price; it is the duty of the requesting department to secure the best, most economical, quality that will meet but not exceed the requirements for which the goods or services are intended. In some instances the lowest price does not necessarily mean the lowest cost.

2.3 Planning

Planning for purchases should be done on both a short-term and long-term basis, thereby minimizing small orders and last minute purchases. Planning will also reduce the number of trips required to obtain materials and minimize clerical and supervisory time spent on documenting purchases.

2.4 Purchase Cut-Off Date

Purchase requests for materials, supplies, services and equipment (not included in blanket purchase orders or service contracts) for the current fiscal year must be received by the Purchasing Department no later than June 1. Purchase requests of a routine nature that could have been scheduled prior to June 1, and are not critical, will be returned to the department for disposition in the new fiscal year. This procedure affords the Purchasing and Finance Departments the opportunity to complete fiscal year end activities in a timely and proper manner.

3. Environmentally Responsible Purchases Preferred

The Town of Waynesville is a large consumer of goods and services and the purchasing decision of our employees and contractors can positively or negatively affect the environment. By including environmental considerations in our procurement decisions, along with our traditional concerns with price, performance and availability, we will remain fiscally responsible while promoting practices that improve public health and safety, reduce pollution, and conserve natural resources.

It is not the intent of this policy to require a department or contractor to: take any action that conflicts with local, state or federal requirements; procure products that do not perform adequately for their intended use; exclude adequate competition; or pursue products not available at a reasonable price in a reasonable period of time.

3.1 Environmentally Responsible Criteria

All Town Departments shall take every reasonable effort to purchase environmentally responsible products, as long as those items meet or exceed specification and required quality levels set forth by the Town.

3.1.1 Definition, environmentally responsible products and services

- a) Made with recycled, non-toxic, and/or recyclable materials that minimize environmentally harmful processes and products in their production and use
- b) Maximize use of recycled content
- c) Absent of hazardous chemicals
- d) Minimize energy consumption
- e) Reduce solid waste, either in production or packaging
- f) Protect air quality
- g) Conserve water
- h) Have a long useful life
- i) Are recyclable or biodegradable

Examples include, but are not limited to:

- a) Cleaning solvents should be biodegradable, phosphate free and citrus-based where their use will not compromise quality of service
- b) Industrial cleaning products that meet Green Seal certification standards or environmental preferably and performance shall be purchased for employee use and be required to be supplied by janitorial contractors. See www.greenseal.org.
- c) Whenever possible, products and equipment should not contain lead or mercury. For products that contain lead or mercury, preference should be given to those products with lower quantities of these metals and to vendors with established lead and mercury recovery programs
- d) Products purchased or leased by the Town shall meet Energy Star certification and shall be configured to maximize energy saving features. See www.energystar.gov.
- e) New and replacement equipment for lighting, heating, ventilation, refrigeration, HVAC systems, water consuming fixtures and process equipment and all such components shall meet or exceed the Federal Energy Management Program (FEMP) recommended levels, whenever practicable. See www.femp.org.

4. Vendor Relations

Good vendor relations are established through mutual confidence and satisfactory business exchanges between buyer and seller.

4.1 Vendor Performance Evaluation

The Purchasing Department maintains a vendor file for recording the performance of vendors with whom the Town engages in business. Should a department experience difficulties with or have a complaint with a particular vendor, concerns should be documented on a Vendor Performance Evaluation Form (Exhibit A). A memo to the Purchasing Supervisor with the concerns will also suffice. Be as specific as possible, detailing the circumstances, dates, personnel involved (including titles) and phone numbers. This information will be helpful in determining if the vendor shall remain on the vendor list. If it is felt a certain vendor should be commended for his efforts, document the circumstances on the Vendor Evaluation Form and forward to the Purchasing Department.

Should any Department Director or town employee become aware that a vendor has made contact with an elected official, the Town Manager should be notified.

4.2 Vendor Selection Policy

Vendors will be selected on a competitive basis. Formal bids, informal bids, or telephone quotations will be solicited by the Purchasing Department. Bid awards, purchase orders and/or contracts will be issued to the lowest responsible responsive bidder.

4.3 Future Commitments to Vendors

Employees do not have the authorization to commit, in writing or verbally, future Town business to vendors. If a department wishes to add a specific vendor or contractor to a bid list, the Purchasing Department must be contacted.

5. Vendor Selection

5.1 Selection Procedures

For the procurement of supplies, materials, and equipment and for construction or repair, the Town will observe the following procedures. Sections 6 - 8 detail the steps which must be used by town employees to satisfy these selection procedures.

- a) Purchases of less than \$5,000 will be made in the open market and every effort should be made to obtain **three written quotes** for purchases of less than \$5,000. All quotes must be forwarded to the Purchasing Department. Purchases over \$5,000 must be budgeted in capital outlay.
- b) North Carolina General Statute §143-131, requires a Request for Written Quotation (RFQ) to be used for purchases of \$30,000 to \$89,999, with or without advertising. However, the Town has chosen to exceed the state requirement and a RFQ must be used for purchases of \$5,000 to \$89,999 for apparatus, supplies, materials, and equipment. Does not apply to fuel purchases.
- c) In accordance with North Carolina General Statute §143-129, invitation for formal bids will be used for purchases of \$90,000 and greater (\$500,000 and greater for construction and repairs). This includes advertising in the local newspaper and/or other advertising media as deemed appropriate and receiving sealed bids.

6. Supplies, Materials, Equipment, or Services

The required procedure for the purchase of apparatus, supplies, materials, and equipment varies, depending on the expenditure amount. The threshold amounts are: \$500; \$5,000, and \$90,000. Purchases over \$5,000 must be budgeted in capital outlay.

Town of Waynesville Ordinance 17-98 delegates the authority to purchase apparatus, supplies, materials, and equipment to the Purchasing Officer (Purchasing Supervisor). In practice, such purchases are made with the full involvement of the Department Director or his designee, and when appropriate, the Town Manager.

6.1 Supplies, Materials, Equipment, or Services (Less Than \$500)

The employee ordering the product must request that the vendor put the employee name and phone number on the invoice. Upon receipt of the item, the invoice must be submitted to Accounts Payable in a timely manner. Under no circumstances may an order be split to stay under the \$500 threshold. Such purchases are normally made at the Department level, but the Purchasing Department may be consulted to aid in finding an appropriate vendor or competitive pricing.

6.2 Supplies, Materials, Equipment, or Services (\$500—\$4,999)

The Department Director or his/her designee must approve all requests within the department. For purchases over \$500, a Purchase Requisition Form must be submitted to the Purchasing Department. These forms are distributed to Department Directors by Purchasing.

After receiving a properly executed Purchase Requisition Form for expenditures of less than \$5,000, the Purchasing Supervisor shall accept quotes. Every effort should be made to obtain three (3) quotes, as outlined in Section 4.2. Once the quote deemed to be in the best interest of the Town is determined, the Purchasing Supervisor shall create the purchase order and contact the successful bidder(s).

With the above statements in mind, there are a variety of exceptions to the Purchase Requisition Form requirement:

6.2.1 Purchases Not Requiring a Purchase Order

Advertising (<i>legal ads, radio, etc.</i>)	Petty cash - replenishment of funds
Annual dues & memberships	Postage permits and expenses
Claim payments	Refunds
Insurance premiums	Rental of buildings
Medical examinations	Subscriptions
Land purchases	Tuition fees for educational purposes
Professional services	Utilities
<i>(accounting, legal, architectural, etc.)</i>	

This list is not all inclusive. Contact the Purchasing Department with any questions.

6.3 Informal Bids - Supplies and Materials (\$5,000 - \$89,999)

After receiving a properly executed Purchase Requisition, the Purchasing Supervisor shall utilize the informal bidding process for purchases of \$5,000 to \$89,999. The informal bidding process requires that competitive pricing be obtained in a written manner using a Request for Quotation (RFQ). These requests are sent to several sources who can supply the product(s) desired, with the goal of gaining three (3) quotes.

Informal bids do not have to be publicly opened. However, **the quotes received for an informal bid are not public knowledge until after the deadline for receipt of bids.** Once all available quotes are received, and the quote deemed in the best interest of the Town is determined, the Purchasing Supervisor shall create the purchase order and contact the successful bidder(s). It is not permissible to divide a proposal in order to avoid formal bid requirements in favor of informal bids. In other words, under no circumstances may an order be split to stay under the \$90,000 threshold.

6.3.1 Purchase Approval

Approval of purchases involving the expenditure of more than \$5,000 but less than \$90,000 are made by the Purchasing Supervisor in consultation with the Department Director or his designee. Purchases over \$5,000 must be budgeted in capital outlay.

6.4 Formal Bids - Supplies and Materials (\$90,000 and Greater)

The Department Director or his/her designee shall complete a Purchase Requisition, then work with the Purchasing Supervisor to develop and prepare specifications for bidding on supplies, apparatus, materials and equipment with an expenditure of \$90,000 or more.

The Purchasing Supervisor shall be responsible for ensuring that all North Carolina General Statutes are satisfied, including, but not limited to, newspaper advertisement and receipt of sealed bids. The Board of Aldermen, pursuant to G.S. 143-129(b), has further authorized the Purchasing Supervisor to advertise by electronic means as an alternative to newspaper advertisement whenever it is deemed the most effective and efficient method of obtaining bids. Advertisement by newspaper and electronic means may be used together or separately to meet the statutory requirements.

After receipt of a bid, the Purchasing Supervisor, with the Department Director or his/her designee, shall review all bid responses to determine the bid deemed in the best interest of the Town. The Department Director or his/her designee shall make a formal recommendation of award, with supporting documentation to the Town Manager, Finance Director, and the Board of Aldermen.

6.4.1 Purchase Approval

Purchases involving the expenditure of more than \$90,000 require approval of the Board of Aldermen, even if an established purchasing contract, such as the state contract, is being utilized. Upon Board of Aldermen approval of the recommendation, the Purchasing Supervisor shall create the purchase order and contact the successful bidder(s).

7. Vehicles and Other Rolling Stock

The timing of vehicle and rolling stock purchases must be approved by the Town Manager. The Town's Fleet Replacement Policy should be referenced first, to determine the criteria for vehicle and equipment replacement.

The purchase and acquisition of vehicles shall be handled by the Purchasing Supervisor, who will work with Department Directors and other personnel in the development of the vehicle specifications. The Purchasing Supervisor shall determine which bidding process, informal or formal, is required based on the anticipated vehicle cost.

The Purchasing Supervisor will handle all necessary forms for title work on new vehicles. Vehicles shall not be released to departments until title work, insurance coverage, and necessary equipment has been installed in the vehicle.

Once a new vehicle has been delivered and entered into service, Department Directors must notify the Purchasing Supervisor of any vehicle that is determined to be surplus.

Whenever possible, Town departments shall evaluate the purchase of alternative fuel vehicles and equipment. Even when not purchasing alternative fuel vehicles, departments shall purchase "greener"

vehicles by specifying good fuel economy and environmental performance. See www.epa.gov/greenvehicles.

8. Construction and Repair Work

Please note: In accordance with G.S. 143-128.2, the provisions of the Town's Minority Business Outreach Plan must be followed on all *building* construction or repair projects in the amount of \$300,000 or more (or if using state funds, \$100,000 or more). Additional outreach and documentation may be required for projects which receive federal funding, regardless of funding amount.

8.1 Definitions

Construction & Repair – Contracted services defined by General Statute that include labor and material costs for construction, renovations, water/sewer line repair, paving, street repair etc... not involving a building

Building Construction – Contracted services defined by General Statute that include labor and materials costs for construction and /or renovation of existing or new buildings.

8.2 Performance/Payment Bonds

Contracts over \$50,000 that are part of a project with estimated expenditures of more than \$300,000 require Performance and Payment Bonds (100% of bid amount) per North Carolina General Statutes. This includes "horizontal" projects such as water/sewer line replacement, street repairs, paving etc...

8.3 Informal Construction or Repair Contracts (Less than \$500,000)

Construction, renovation or repair work of less than \$500,000 shall be the responsibility of the Department Director, the contracted engineer and other Town officials as deemed necessary. After receiving a properly executed Purchase Requisition, the Purchasing Supervisor shall utilize the informal bidding process for informal construction or repair contracts. The Purchasing Supervisor shall be responsible for ensuring that all North Carolina General Statutes are satisfied.

The informal bidding process requires that competitive pricing be obtained in a written manner using a Request For Quotation (RFQ). These requests are sent to several sources who are capable of performing the work desired, with the goal of gaining three (3) quotes.

Informal bids do not have to be publicly opened, and **the quotes received for an informal bid are not public knowledge until after the deadline for receipt of bids**. Once all available quotes are received, and the quote deemed in the best interest of the Town is determined, the Purchasing Supervisor shall create the purchase order and contact the successful bidder(s). It is not permissible to divide a proposal in order to avoid formal bid requirements in favor of informal bids. Under no circumstances may a project be split to stay under the \$500,000 threshold.

Construction or Repair Contracts with estimated expenditures of \$30,000 or more must use a licensed general contractor per NCGS 87.1.

8.4 Purchase Approval

Approval of all building construction or repair contracts under \$30,000 shall be made by the Purchasing Supervisor in consultation with the Department Director or his designee, all building and repair

contractions between \$30,000 and \$99,999 shall be made by the Town Manager, and approval of all other informal building construction and repair contracts shall be made by the Board of Aldermen.

8.5 Formal Construction or Repair Contracts (\$500,000 and greater)

Construction contracts within this range shall be the responsibility of the Department Director and contracted engineer and other Town staff as deemed necessary. These officials are responsible for specification development and the bidding process. Upon award by the Board of Aldermen and execution of the contract, the Department Director shall initiate a Purchase Requisition form so that a purchase order can be generated to encumber the expenditure account.

The Purchasing Supervisor shall be responsible for ensuring that all North Carolina General Statutes are satisfied, including, but not limited to, newspaper advertisement and receipt of sealed bids.

8.6 Purchase Approval

Approval of all formal building construction or repair contracts shall be made by the Board of Aldermen.

8.7 Bid Bonds/Deposit

A Bid Bond or Deposit equal to 5% of the bid is required on Construction or Repair Projects with estimated expenditures of \$500,000 or more. Bid Bonds when required should be placed in separate envelope and opened before bid to ensure proper submittal.

9. Purchase Orders

To be valid, a Purchase Order must be completed and signed by the Purchasing Supervisor, the Finance Director, or the Town Manager.

9.1 The Purchase Order Process

A purchase order is a contract between the Town and a vendor and is not binding until accepted by the vendor. Purchase orders are available only through the Purchasing Department. The issuance of purchase orders by unauthorized Town employees or officials will not be recognized by the Town and payment of these obligations will not be approved. Obtaining supplies, materials, equipment or services over \$500 without a purchase order is also an unauthorized purchase. (Except in emergency situations as outlined in Section 12.2.) **Unauthorized purchases are classified as a personal expense and will be paid for by the employee.**

The purchase order is a numbered three part form with copies to be distributed as follows:

White	-	(Finance Copy)	Forwarded to Accounts Payable
Pink	-	(Buyer's Copy)	Forwarded to Purchasing
Yellow	-	(Purchasing's Copy)	Filed sequentially

In order to properly process the vendor's invoice(s) for payment, the packing slips must indicate the purchase order number, be signed by an authorized Town employee, and forwarded to Accounts Payable. This must be done immediately after the item(s) have been received, inspected and accepted by the user department.

If the purchase is to be charged to an account other than the one indicated on the purchase order, the account number to be charged for the expenditure must be indicated.

9.2 Change Orders

In order to change, modify, or cancel an existing purchase order, the user department must request a Change Order from the Purchasing Supervisor. Purchasing will be responsible for the distribution of paperwork to the vendor and requesting department. The Board of Aldermen must approve change orders in excess of the contingency amounts for purchases and/or contracts which it originally awarded.

Change orders are not allowed:

- a. That alter the procurement procedures used in the original process. (i.e., from informal to formal).
- b. After the scope of services have been rendered or materials have been received.
- c. That increase a blanket purchase order.
- d. That adds additional items to the purchase order.

10. Contract Management

A contract is a legal instrument that protects the Town's interests by clearly establishing the responsibility of all parties. The contract establishes the terms and conditions under which a service is to be performed or a good purchased.

All contracts above \$5,000 must be in writing and have the pre-audit certification completed by the Finance Officer.

10.1 Definition

Contracts include those signed for the purchase of goods, construction and repairs, service agreements, and more. Contracts include but are not limited to the following:

Rental of equipment or uniforms
Consulting services
Leases for real estate or equipment
Letter of agreement
Agreements for acceptance of grant funds

Cellular phone contracts
Purchase of goods
Advertising agreements
Revision or addendum to an existing contract

10.2 General Services

General Services consist of all other services not defined by North Carolina General Statutes and include maintenance agreements, contract for semi-skilled and unskilled labor and contracts for services not covered by the Professional Services. Examples of these types of services include but are not limited to include, elevator repair, lot cleanup, demolition, sludge removal, instructors, HVAC repairs, electrical repairs.

10.2.1 Service Contracts

A Purchase Order is required for service contracts above \$500. Copies of executed contracts must be provided to the Town Clerk and the Purchasing Supervisor.

Service contracts should be reviewed by the affected department, at a minimum, every two years to ensure the Town is not paying for maintenance or service on equipment it no longer owns or operates.

10.3 Contract Authority

The majority of employees do not have the authority to sign contracts on behalf of the Town, and the approval of a Purchase and Contract Authority are two distinct processes. In general, a Department Director or his designee is responsible for negotiating and managing the contract with the vendor, but is not authorized to sign the contract.

Purchasing Supervisor	Materials, Equipment, and Supplies	\$1 - \$89,999
	Construction & Repairs	\$1 - \$29,999
Town Manager (or designee)	Materials, Equipment, and Supplies	\$90,000 and above
	Construction & Repairs	\$30,000 and above
Mayor	In specific instances, the Mayor is required to sign as the chief elected official for the Town.	

11. Special Procurement Procedures

11.1 Blanket Purchase Orders

The Purchasing Department will issue blanket purchase orders to selected vendors for the procurement of large volume items such as landscaping supplies, rock, sand and asphalt. Blanket purchase orders should not be used for items normally carried in stock at the warehouse and will not be issued for items that should be purchased with a purchasing card or petty cash.

Requests for blanket purchase orders must, in addition to the required information, indicate the following: items covered by the blanket purchase order, a Not to Exceed (NTE) amount in the appropriate column, and an attached listing of all personnel approved to purchase from the blanket PO. The issued purchase order will instruct the vendor that unauthorized purchases will not be allowed. It is the responsibility of the individual authorized to purchase under a blanket purchase order to ensure that an unspent balance remains to cover the purchase to be made. **Any purchase that exceeds the funds available under a blanket purchase order will be classified as an unauthorized purchase.**

Any purchases made by personnel not authorized by the blanket purchase order request will be classified as a personal expense and will be paid by the employee.

The vendor's delivery ticket must be signed by an authorized Town employee and the purchase order number must be indicated. If the purchase is to be charged to an account other than that indicated by the purchase order, the account number to be charged for the expenditure must be indicated on the ticket. Departments must immediately forward these delivery tickets to Accounts Payable for payment.

11.2 Emergency Purchases

In cases of emergencies, the Department Director or his/her designee may purchase directly from any vendor supplies or services whose immediate procurement is essential to prevent delays in work which may affect the life, health, safety, or convenience of Town of Waynesville employees or citizens.

The user department shall exercise good judgment and use established vendors when making emergency purchases. Emergency purchases, although sometimes necessary, are costly both in time and money. Always obtain the best possible price and limit purchases to those items emergency related. **Not anticipating needs does not constitute an emergency situation.** The use of emergency purchases should be limited and will be monitored for abuse.

11.2.1 Emergency Purchase Procedure During Business Hours

Contact the Purchasing Department and give all pertinent information to obtain a purchase order. The information needed will include vendor name, item(s) to be purchased with quantities, expenditure account to which the item(s) will be charged and the reason for the emergency purchase. After verifying available funds, a purchase order number will be issued for the expenditure and a confirming purchase order will be mailed to the vendor.

11.2.2 Emergency Purchase Procedure After Business Hours

The packing slip or invoice received should be coded with the account(s) to be charged and signed. Please attach a brief explanation of the nature of the emergency, and forward immediately to the Finance Department for payment. The Purchasing Supervisor must be notified of the purchase and the circumstances the morning of the next business day.

11.3 Sole Source of Supply

If there is only one vendor capable of providing a particular good or service, the competitive pricing procedures outlined in this manual may be waived by the Board of Aldermen, as outlined in G.S. 143-129. Whenever a Department Director or his/her designee determines it is necessary to purchase goods or services from a "sole source," he/she shall document why only one company or individual is capable of providing the goods or services required.

11.4 Competitively Bid Group Contracts

The Town may utilize state and national competitively bid group contracts whenever possible for procurement of capital and non-capital items. Such programs include but are not limited to the State of North Carolina Purchase and Contract Division, US Communities, NJPA, and GSA. This system expedites the purchase of goods, offers pricing comparable with quotes received from formal and informal bids, and satisfies North Carolina General Statutes. Contact the Purchasing Department with questions about goods available on group contract.

11.5 Piggybacking

The Purchasing Department may use the piggybacking process whenever necessary to purchase apparatus, supplies, materials and equipment. Contracts in the informal range can be used as a tool to solicit additional bids, but no board action is necessary. For purchases of \$90,000 and above, the provisions of G.S. 143-129 will be followed.

11.6 Professional Services

Normal competitive procedures cannot be utilized in securing professional services such as attorneys, planners, and other professional people who, in keeping with the standards of their discipline, will not enter into a competitive bidding process. When an agreement between a professional service company and the Town is established, a purchase order with a NTE amount shall be issued to satisfy accounting and statutory requirements.

11.7 Petty Cash Expenditures

A petty cash fund has been established for the purchase of expendable items (including but not limited to car washes, office supplies, etc.) costing less than \$20.00. Employees wishing to purchase items and be reimbursed with petty cash must provide a receipt for the purchase to the Finance Department.

11.8 Gas, Fuel and Oil

Purchases of gasoline, diesel fuel, motor oil, fuel oil or natural gas are not subject to the formal bidding requirements. These purchases are subject to the informal procedures of G.S. 143-131

12. Specifications

Whether goods or services are procured under the formal or informal bidding process, specifications must be prepared. All specifications should do at least four things:

1. Identify minimum requirements
2. Encourage competitive bids
3. Be capable of objective review
4. Provide for an equitable award at the lowest possible cost

Department Directors and Supervisors are responsible for developing the minimum technical requirements (specifications) for the items they wish to purchase. Departments are encouraged to provide a contact list of vendors for outreach purposes.

Specifications should be as simple as possible while maintaining the degree of exactness required to assure that bidders are offering the quality of goods and services required. Such exactness also prevents bidders from taking advantage of their competitors by not offering the quality of goods and level of service required by the Town.

All specifications utilizing a name brand must include the term "or approved equal" to avoid being restrictive and to allow fair competition in the bidding process. Departments should supply any documentation that may assist the Purchasing Department in procuring the desired item(s).

12.1 Methods of structuring specifications

Qualified products on acceptable vendor list

Blueprint or dimension sheet

Chemical analysis or physical properties

Performance, purpose or use

Identification with industry standards

By samples

13. Delivery and Performance

A completed and accepted purchase order by the parties concerned must produce the intended results or objectives before it can be considered a successful or completed purchase. The terms and conditions must clearly define the delivery and performance requirements of the services, supplies or equipment.

If several items are required by the purchase order, there may be a different delivery schedule for each item. It is necessary to clearly indicate the delivery location on the Purchase Requisition form.

13.1 Partial Deliveries

Some purchase orders may list several items. It is possible the vendor may complete timely delivery on some items without including all items ordered in the same shipment. This is referred to as a "partial delivery." Upon receipt of a partial delivery, photocopy the purchase order, attach a copy of the signed delivery receipt and forward to Accounts Payable.

13.2 Non-performance

If a vendor fails to meet any requirements(s) of the specifications or terms and conditions of the contract or purchase order, the vendor and proposed remedies will be evaluated based upon the circumstances of each violation.

14. Inspection and Testing

Goods and materials should be checked at the time of receipt for damage or defects. The inspection shall include assuring goods comply with the specifications. If damage is found or the goods fail to comply with the specifications, the item(s) shall be rejected as outlined below.

14.1 Rejection

In order to protect the Town's rights in the event of rejection, for whatever reason, the vendor shall be informed immediately. Reasons for the rejection must be documented in memo form, attached to a copy of the purchase order and forwarded to the Purchasing Department in a timely manner. Purchasing will notify the vendor of the reason for the rejection.

14.2 Damaged Goods

One of the major reasons for immediately inspecting the goods or materials upon receipt is to detect any visible damage. When it is apparent that the extent of the damage causes the goods to be worthless, they will not be accepted. If the damage is not apparent until after the goods have been accepted, the Purchasing Department will contact the vendor.

It is necessary that all damage, including evidence of concealed damage, be documented by memo, attached to a copy of the purchase order and forwarded to the Purchasing Department so that Purchasing can inform the vendor of the damaged goods. Photo documentation may also be necessary.

14.3 Latent Defects

Latent defects may be the result of damage in transit or failure of the manufacturer to conform to specifications. Consequently, it is often difficult to fix responsibility for the defective material. If specific liability for the defect cannot be determined between the carrier, the vendor, or the manufacturer, the Town may file a claim against all parties. A memo attached to a photocopy of the purchase order must be forwarded to the Purchasing Department so all parties involved can be properly informed.

15. After the Order

Follow-up or expediting delivery of an order is part of the purchasing process and can be more efficiently handled by the purchasing party, whether it is the Department or Purchasing.

The Purchasing Department shall on a regular basis review outstanding purchase orders to determine if vendors are delinquent in shipping the items requested and contact these vendors if necessary. Purchasing shall also contact vendors concerning invoice discrepancies and has the authorization, along with the Finance Director and Town Manager, to dispute invoice amounts.

16. Warehousing

A warehouse is maintained by the Purchasing Department at the Public Works Building to keep in stock a 90-day supply of those items most commonly used by all departments. Should a department require these items, a representative from the department must pick up the items and complete a Materials Requisition Form, available from Purchasing.

It is the responsibility of the User Department to notify Purchasing at least 60 days before beginning a project that will deplete particular items faster than normal. This to ensure that adequate supplies can be ordered to fulfill the project requirements and meet normal demands.

If a department has a recurring demand (need for particular items that exceed three times in a six month period) for a particular item that is not stocked in the warehouse, the department may request that the warehouse stock this item by providing the following information:

1. Description - A thorough description of the item is requested. When possible, please provide catalog data, drawings or pictures.
2. Recommended Initial Order Quantity - This is the quantity expected to be consumed in a 90 day period.
3. Recommended Minimum Stocking Quantity - This is the critical minimum quantity (i.e. a point that if stock were lower than this quantity, your performance would be compromised).
4. Adjusted Min/Max Numbers for Current Item - If the item requested will be used in addition to a current item, include a new quantity recommendation for that item.

If the item being requested replaces a current item, the Purchasing Supervisor shall determine the value of existing stock being replaced. If the dollar amount is significant, the Purchasing Supervisor shall review this with the Department Director to determine if existing stock can be depleted to the new recommended minimum/maximum stocking levels.

The same review process shall be taken with eliminated stock items. These items shall be declared surplus/obsolete and processed in accordance with general statutes.

17. Purchase Cards

The use of Purchasing Cards is authorized in order to reduce or eliminate certain types of paper-based processing, thereby saving Town employees time and effort.

The use of the Purchasing Card (P-Card) is not intended to change what items are purchased—only the method by which they are purchased.

17.1 Issuance of Purchasing Card

- a) Purchasing Cards are issued to those permanent full-time employees who routinely make purchases on behalf of the Town. P-cards are not tied to job description, and the Department Director may use discretion when assigning cards.
- b) The Department Director or his/her designee will determine the purchase authority of the employee and sign the New Cardholder Enrollment Form (Exhibit C) indicating approval.

- c) The employee must sign the “Cardholder’s Agreement” (Exhibit B) verifying agreement to conditions of use. This agreement may be periodically updated and all P-card users must sign the most current form in order to continue using the card.
- d) Purchasing will review the Cardholder Enrollment Form and process for issuance of a purchasing card to the employee.

17.2 Use of Purchasing Card

- e) Each card will include a transaction limit, daily limit and monthly limit. Under no circumstances may a purchase be split into multiple parts in order to circumvent card limits.
- f) A Purchase Order is required for all non-emergency purchases over \$500.00, excluding the exceptions listed in section 5.2.1 of this manual.
- g) It is the cardholder’s responsibility to provide a detailed receipt for each transaction on the billing statement. Telephone orders that do not generate receipts shall be evidenced by a catalog page and supplemented by any documentation that becomes available once the transaction is complete. Internet purchases should be evidenced by a printout of the order confirmation page. Cardholders must give all documentation to their supervisors on a monthly basis for reconciliation of the purchase card statement by Accounts Payable.
- h) Undocumented transactions (transactions turned in to be paid without a receipt) are not allowed and must be a rare occurrence. If the cardholder does not have documentation of a transaction listed on the monthly statement, he/she must attach an explanation that includes a description of the item(s) purchased, date of purchase, vendor’s name, and reason for the lack of documentation. The Finance Department may request additional information or may disallow the transaction and the cardholder will be personally responsible for the transaction amount.
- i) Any disputed transactions are to be first resolved by the department, and if this fails, then referred to Finance. If a disputed transaction results in a credit being issued, Accounts Payable must be notified that this will appear on the bill.
- j) Finance and Administration may at any time review individual card activity and may revoke the purchasing card privileges of any or all employees.

17.2.1 Authorized Transactions

All authorized uses listed below assume unencumbered funds are available in the appropriate department.

- a) Payment for all approved Town purchases. All purchases must comply with the Purchasing Policy, including the Purchase Requisition Form requirement.
- b) Lodging reservations and payment when attending Town-approved conferences or meetings.
- c) Meal purchases as allowed in the Travel Policy.
- d) Online and telephone purchases.

17.2.2 Unauthorized Transactions

- a) Personal use
- b) Alcoholic beverages
- c) Any nonofficial purpose
- d) Gasoline for private automobiles. Travel is reimbursed at the mileage rate.

The list of authorized uses and unauthorized uses is not exhaustive. The guiding principle is to determine whether the expenditure is necessary for the cardholder to carry out his/her duties in the Town. All purchases must be carried out within the guidelines of this manual, and be part of the normal budgeting process.

17.3 Cardholder Responsibilities

- a) The satisfactory receipt of goods or services is the responsibility of the cardholder.
- b) It is the cardholder's responsibility to provide a detailed receipt for each transaction on the billing statement.
- c) A cardholder shall not permit another person to use his/her Purchasing Card.
- d) If any item purchased with the purchasing card is returned, the merchant must credit the card account. Employees are not to accept cash or gift cards for returned items. Accounts Payable must be notified of the credit amount that will appear on the bill.

17.4 Annual Approval Required

Authorized employees must review and sign a Purchasing Card agreement annually.

Exhibit A

Vendor Performance Evaluation Form

Submit to the Purchasing Department

Department Responding: _____

Please take a moment to complete this vendor performance evaluation and return to the purchasing department. Your prompt response is appreciated

Vendor: _____

Date Ordered: / / Date Promised: / / Actual Delivery Date: / /

Please rate the vendor in each category, with 1 being the lowest score and 5 being the highest.

	Unacceptable		Satisfactory	Extremely	Satisfied	
Timeliness of Deliveries	1	2	3	4	5	N/A
Quality of Parts/Products/Materials Upon Delivery	1	2	3	4	5	N/A
Overall Quality of Parts/Products/Material	1	2	3	4	5	N/A
Competitiveness of Price	1	2	3	4	5	N/A
Quality of Service Provided	1	2	3	4	5	N/A
Terms and Conditions	1	2	3	4	5	N/A
Reputation of Company	1	2	3	4	5	N/A
Quality of Design Compared to Specifications	1	2	3	4	5	N/A
Expertise of Sales Staff	1	2	3	4	5	N/A
Technical Support Staff's Level of Expertise	1	2	3	4	5	N/A
Adequately packs products, including shipping lists	1	2	3	4	5	N/A

Overall Rating: 1 3 5

Additional Comments:

Purchasing Card Employee Agreement

I, _____, agree to the following regarding my use of the Town of Waynesville Purchasing Card:

1. I understand that I am being entrusted with a Purchasing Card to make financial commitments on behalf of the Town, and will restrict my purchases to approved Town of Waynesville activities.
2. I understand that under no circumstances will I use the Purchasing Card to make personal purchases.
3. I will not permit another person to use the Purchasing Card issued to me. Any such purchases made with my card will be considered to be made by me and will be my responsibility.
4. I will be responsible for the safekeeping of the Purchasing Card issued to me and, if lost or stolen, I will report its loss immediately to my supervisor and to Purchasing.
5. **I understand that I must submit a detailed receipt for each purchase on a monthly basis to my supervisor for submittal to Accounts Payable. I understand that a failure to do so will result in suspension of my purchasing card account until the required receipts have been submitted. Repeated failure to submit detailed receipts will result in the termination of my Purchasing Card Account.**
6. I understand that my personal credit will not be affected by use of the Town of Waynesville Purchasing Card.
7. I understand that in the event of termination of my employment with the Town of Waynesville, my final paycheck will be retained subject to the return of the Purchasing Card and any outstanding receipts to my supervisor.
8. I have read the Purchasing Policy and Procedure Manual and understand the requirements for using the Town of Waynesville Purchasing Card.
9. I agree that I will return the Purchasing Card to the Town upon termination of my Purchasing Card privileges.
10. I agree that should I violate the terms of this Agreement and use the Purchasing Card for personal use or gain that I will reimburse the Town of Waynesville for all incurred charges and any fees (including attorneys' fees and expenses) related to the collection of these charges.
11. *The use of the Town of Waynesville Purchasing card to procure goods and services for other than the official use of the Town of Waynesville is prohibited. Failure to follow the established procedures for using the Purchasing Card may result in revocation of use privileges or other disciplinary actions up to and including dismissal.*

I have read, understand, and agree to the conditions above:

Employee: _____ Date: _____

Department Director: _____ Date: _____

Purchasing Supervisor: _____ Date: _____

New Cardholder Enrollment Form

Town of Waynesville Purchasing Card

Employee/Cardholder Information

Name: _____

Department: _____

Card Limits

Daily \$ _____

Monthly \$ _____

Per Transaction \$ _____

Daily Number of Transactions: _____

Monthly Number of Transactions: _____

Approvals:

Department Director: _____

Purchasing Supervisor: _____

Card Receipt Documentation:

Card Account Number: _____

Date Issued to Cardholder: _____

Cardholder's Signature: _____

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: August 27, 2013

SUBJECT: Recreation Master Plan/Tennis Court/Restroom Updates & Proposal

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 6-B
Department: Parks and Recreation
Contact: Rhett Langston, Parks and Recreation Director
Presenter: Marcy Onieal, Town Manager

BRIEF SUMMARY:

First, the Waynesville Parks and Recreation Department are asking the Board of Aldermen to approve the purchasing of a mobile restroom specifically designed for general public use. The restrooms will have fresh water and power. It is our intent to use these restrooms until a master plan can be created and a final decision can be made for permanent restrooms. Our initial idea was to remodel the existing pool house but the estimates came in at a range of \$318,500 to \$334,600. We only had \$180,000 available. Our second idea was to take a look at pre-fab restrooms. However, the cost of restroom would be close to \$100,000. We felt as if it would be a better idea to first have a plan before spending money on a permanent fixture. The mobile restrooms may also be used at street festivals in the downtown area or other areas in which our permanent restrooms may not be adequate enough or not currently functioning.

Second, the Parks and Recreation Department are asking for approval for the plans for the resurfacing of the six existing tennis courts. This should give the courts an existing life until the master plan is completed and implemented.

Third, the Parks and Recreation Department are asking for approval to hire an outside company to comprise a master development plan specifically for Recreation Park, East Street Park, Dutch Fisher Park, Sulphur Springs Park, and a cross-town greenway; and to identify any unmet future needs for recreational programming in the future, particularly as they relate to facility needs.

A comprehensive plan was created with Haywood County and other municipalities in 2006. However, this was a 15 year plan and it is common for plans to be reviewed and revised every five years. Since the comprehensive plan is now seven years old, we are past that point. Many of the projects contained in the plan have yet to be funded, and we are in need of review, updating and coordination with the plans presented by our neighboring jurisdictions.

The purpose of the master plan will be to conduct public meetings and gather input through surveys, charettes, and other means. This will enable the Town of Waynesville to make the best use of space available for the future. Recreation Park, East Street Park, Dutch Fisher Park and Sulphur Springs Park. The final document will have proposed concept plans, schematic layouts and preliminary cost estimates for future development opportunities

MOTION FOR CONSIDERATION: To authorize the expenditure of up to \$130,000 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.

FUNDING SOURCE/IMPACT:

Restrooms – Insurance proceeds in the amount of \$97,000 were received based on the value of the Rec Park restrooms at the time they were destroyed by fire in 2010. The cost to purchase an ADA accessible mobile restroom unit designed for public use will be approximately \$40,000.

Resurfacing 6 Existing Courts – \$75,000 is already budgeted to match the Parks and Recreation Trust Fund Grant, which the Town did not receive. The cost for resurfacing the courts is estimated at \$50,000 which should net the Town 5-7 more years of playability on the existing courts. We are recommending that this expenditure be contingent upon receiving pledges and contributions of private funding in the amount of \$5,000 or 10% of the project cost before this project is initiated.

Master Plan – The estimated cost of hiring an outside consulting firm to develop a recreation master plan is approximately \$40K-50K, and would come from the remainder of \$97,000 insurance proceeds.

ATTACHMENTS:

- Estimate of resurfacing tennis courts from Baseline
- Estimate of resurfacing tennis courts from Fast-Dry
- Plans & specs for public mobile restroom unit from UltraLav
- Draft Minutes from Parks & Recreation Commission, dated 8/13/13

MANAGER'S COMMENTS AND RECOMMENDATIONS: A concept plan for renovating the pool house restrooms and constructing two additional tennis courts had been approved prior to the manager's hiring. No funds were formally budgeted for either project, but the Board did approve spending up to \$187,000 out of the Capital Projects Fund for these two purposes. In light of the estimated costs, it became evident that there was no way the approved plan could be initiated without additional allocation of funding.

This revised proposal is an attempt by staff to satisfy immediate needs (through court resurfacing and placement of temporary commercial grade restroom facilities) without committing to expensive new permanent construction, which may or may not be in keeping with the Town's long-range recreation plans and needs. These proposals have been discussed with the Tennis Association and have been unanimously endorsed by the Parks & Recreation Commission. Manager recommends approval as presented, noting that all three pieces of this proposal can be completed within the current fiscal year without the infusion of additional revenue. The proposed budget amendment immediately following on the agenda incorporates these proposed line item changes.



ADVISORY COMMISSION MEETING

August 13, 2013
5:30 PM

MINUTES

The meeting was called to order at 5:32 pm.

In attendance were: Ginny Boyer, Michelle Claytor, Sarah Massie, Wallace Messer, Lee Starnes, Kenny Mull, Don Frady and Rhett Langston. Scotty Schulhofer was unable to attend.

Old Business:

- None

New Business:

- The monthly report from July was reviewed.
- We had a very busy summer with 2 soccer camps, 3 basketball camps, a volleyball camp, and 11 weeks of summer camp. Previously, the longest summer camp that we ever did was 8 weeks. All of the camps had very good numbers and were administrated very well.
- We now have 5 cameras installed in the Waynesville Recreation Center. Our goal is to install more in the Center, in the Old Armory, and out in the parks.
- The skate park is going well. We still have the parking lot to complete as well as the landscaping. An opening date has not yet been established. We have already had issues with kids trespassing and skating.
- The Haywood Animal Welfare Association would like to have an annual event on either the Vance Street softball field or greenspace beside the dog park in October. This would be a free event but a fee would be charged for food. The Advisory Commission agreed to charge a fee of \$50.
- Chairman Kenny Mull explained to other members what was presented the following week. Specifically, to move forward with the idea of resurfacing the existing tennis courts, purchase a mobile restroom unit (to be used also for festivals), and to hire a company to conduct a public master plan for Recreation Park, East Street Park, Sulphur Springs Park and Hazelwood Park. After discussion, Wallace Messer made the motion to accept the plan . Sarah Massie seconded it. All voted in favor.

There being no further business, the meeting was adjourned at 6:29 pm.

Respectfully Submitted,
Rhett Langston



BUDGET QUOTE

August 29, 2012

Rhett Langston, Director Parks & Recreation
Town of Waynesville
550 Vance Street
Waynesville, North Carolina 23786

Telephone: 828-456-2030
E-mail: recdirector@townofwaynesville.org

Dear Rhett:

Thank you for contacting us with your tennis court needs. Upon our recent inspection of your courts, Fast-Dry Courts, Inc. is pleased to provide a budget for the court resurfacing, fence and light refurbish and new court construction as follows:

\$35,850 - Resurface six (6) asphalt tennis courts in one battery measuring +/- 300' x 120'. Our scope of work includes:

- Removal of retaining board on north side of courts

- Pressure clean courts

- Patch any bird baths deeper than 1/8" one hour after flooding on a sunny day.

- Patch asphalt cracks running north & south and east & west by sanding and level cracked areas and installing fiberglass membrane over larger cracks to help retard their reappearance. Seal with acrylic resurfacer.

- Over entire court area install 2 coats of NovaSurface acrylic resurfacer, 2 coats of Nova Combination Surface acrylic court paint (Light Green border/Blue interior) and playing lines to USTA specifications; repaint net posts.

\$4,800 – Prepare and paint twelve (12) light poles and their arms and fixtures with DTM industrial quality paint.

\$19,275 – Remove all chain link mesh and top rail from the six-court battery (+/- 840 lf) to City's provided dump area near the courts. Prepare and paint all line and terminal poles with 2 coats of DTM Sherwin-Williams industrial quality paint. Install new 1-3/4" x 8 gauge extruded vinyl coated chain link mesh onto existing framework. Install new 1-5/8" O.D. poly coated top rail, new bottom tension wire, and all new attaching hardware.

\$80,000 – Build two (2) Har-Tru tennis courts in one battery measuring 120' x 120'. Atop your properly prepared and level sub base, we will install perimeter brick curbing; +/- 3" screenings sand or approved crushed rock base, 1" green rock Har-Tru surface. Install PVC pipe and (12) I-20 sprinkler heads; concrete net post footers, PVC sleeves, Courtmaster painted steel net posts, center anchors; Six Star II nets with center straps and herringbone style line tapes secured with 2-1/2" aluminum nails to USTA specifications. Fence the court with 432 linear feet of 10' tall heavy duty court fencing utilizing 3" O.D. PP40 poly coated terminal poles, 2-1/2" O.D. PP40 line poles, 1-5/8" O.D. top rail, 8 gauge x 2" extruded vinyl chain link mesh, 6 gauge bottom tension wire, (2) 4' x 7' entry gates and (10) 7' x 7' maintenance gate.

www.fast-dry.com www.10-s.com

National: 1-800-432-2994 • Local: (954) 979-3111 • Fax: (954) 978-8479

Page 2 of 2
August 29, 2012
Rhett Langston, Director Parks & Recreation
Re: Town of Waynesville Tennis Court Refurbish and New Construction Budget Quote

Why should you choose Fast-Dry Courts, Inc. for this project? We have a 25 year track record of exceeding customer expectations. We survey each customer after every project and 95.5% of our customers would recommend Fast-Dry Courts, Inc. to a trusted colleague or friend. Over 60% of our projects last year were from existing customers or referrals. All of our Project Managers have at least 8 years of experience. It is our commitment to quality and professionalism that led the American Sports Builders Association (ASBA) to recognize Fast-Dry Courts, Inc. for excellence in tennis court construction for an unprecedented 16 consecutive years. We have completed 5,900+ projects without a single lawsuit regarding quality or performance. Furthermore, as should be expected from a tennis court contractor, we are licensed, bondable and insured. If you have any further questions or would like a formal contract for the quoted work, please contact 800-432-2994.

Sincerely,
FAST-DRY COURTS, INC.

A handwritten signature in blue ink, appearing to read "Trimmer Detton", is written over a horizontal line.

TRIMMER DETTON
Vice President, Sales

/ka

Construction
Resurfacing



Maintenance
Supplies

www.fast-dry.com www.10-s.com
National: 1-800-432-2994 • Local: (954) 979-3111 • Fax: (954) 978-8479



www.baselineLLC.com

PROPOSAL

TO: Linda O'Neil

JOB NAME: Waynesville Courts

LOCATION:

TELEPHONE:

DATE: June 10, 2013

We hereby submit specifications and estimates for:

Resurfacing of six tennis courts in Waynesville - \$55,700.00

Work to include the following

- Removing and storing tennis posts and tennis nets. Nets and posts shall be reinstalled upon completion of job.
- Entire court surface shall be pressure washed to remove all dirt and debris. Note: when pressure washing a tennis surface, it is our intention that the existing court surface shall be made clean to promote good adhesion of the new coatings to the existing surface. It is possible that in the course of pressure washing, it is discovered that underlying surface coatings have weak bonds to the original asphalt base and start delaminating. If that occurs, it will probably be necessary to scrape off all the existing coatings from the asphalt. It is not our intention in pressure washing to remove all the existing coatings. However, if the existing coatings are found to have insufficient adhesion to the asphalt base, it will require a change to the contract to remove all the coatings and haul them off.
- Riteway Crack Repair – Cracks shall be filled with an acrylic patch binder and then ground smooth. Cracks shall then be covered with the Riteway Crack Repair system. (see attached information) Riteway will not prevent future cracks from occurring but will prevent existing cracks from being seen from the surface. Also, cracks around fence post bases and under fences will not receive the Riteway treatment due to their inaccessibility. Approximately 1300 lineal feet of cracks will be repaired using this method.
- Low Spots – two low areas behind court 4 shall be patched and leveled in order to improve the drainage.
- Acrylic Surface System - Following complete surface preparation, Baseline will apply one coat of Nova™ black acrylic resurfacing material to the entire tennis surface. The resurfacer shall be applied at a rate of .05 gallon / square yard (prior to dilution with water. The resurfacer shall have sand mixed in at the rate of 12 pounds per gallon of non-diluted concentrate). After sufficient drying time, we will apply two coats of Nova™ color to the entire court. Each coat of color will be applied at the rate of .05 gallons / square yard (prior to dilution with water). Each coat will have sand mixed in to provide



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(800) 205-9521 • tel: (865) 588-4320 • fax: (865) 588-4111
e-mail: info@baselineLLC.com



BASELINE



SPORTS CONSTRUCTION

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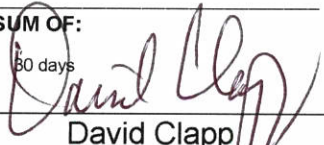
surface texture (sand will be mixed in at the factory but the ratio is approximately 7 pounds of sand per non-diluted gallon of color). The in-bounds area can be coated with one color and the out-of-bounds area can be coated with a different color. The court shall then be lined using masking tape and a line sealing coating to prevent the textured line paint from bleeding under the tape. Two coats of white textured line paint shall be installed according to U.S. Tennis Association layout standards. In addition to the 78 foot striping, the courts shall also be striped for 36 foot and 60 foot blended lines.

WE PROPOSE TO PERFORM THE ABOVE NAMED WORK FOR THE SUM OF:

All material and workmanship are guaranteed for one (1) year after completion unless otherwise specified. Payment in full to be made upon completion of the described work; 1 1/2% interest per month will be applicable to any unpaid balance ten days after the invoice date.

Valid Through: 60 days

Submitted by:



David Clapp

Acceptance of Proposal- The above prices, specifications, and conditions are satisfactory and are hereby accepted. Baseline Sports Construction, LLC is authorized to do the work as specified. Payment will be made as outlined above.

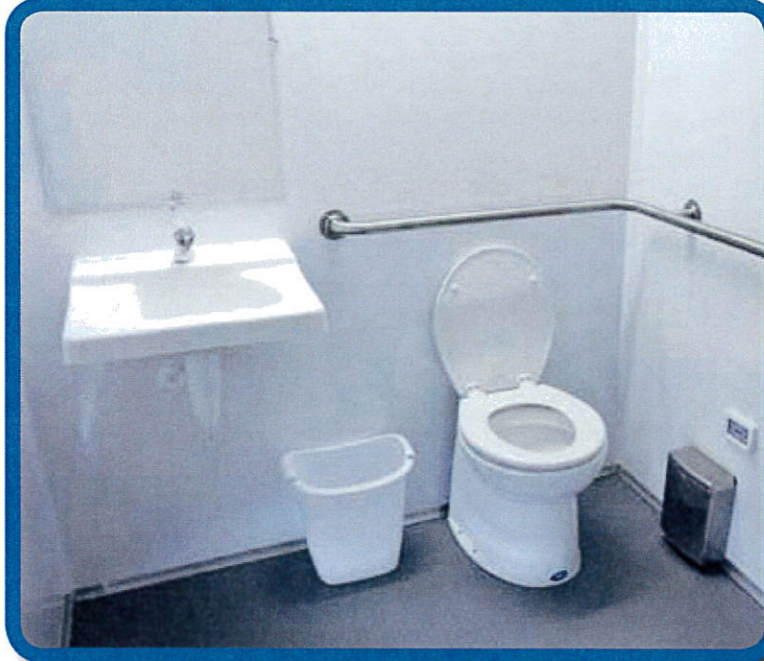
DATE OF ACCEPTANCE: _____ SIGNATURE: _____



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(ADA) Handicap Accessible Units



When Safety and Reliability Matter Most

The UltraLav ADA series is specifically designed to accommodate the unique needs of disabled users. UltraLav ADA units are not just ADA accessible, but ADA compliant meeting or exceeding the permanent structure criteria as specified by the American Disabilities Act. That's a big difference! Plus, everything you need to set-up including the railing/ramp assembly are totally self-contained. No need for separate storage units or another tow vehicle. This amazing engineering feat is accomplished by our exclusive and proprietary "one-touch" hydraulic trailer lowering system. The entire trailer smoothly and quietly lowers to the ground making long and cumbersome ramps obsolete.

The ADA series features the same pleasant interior styling as our other UltraLav trailers, but with the appropriate accommodations for disabled patrons.

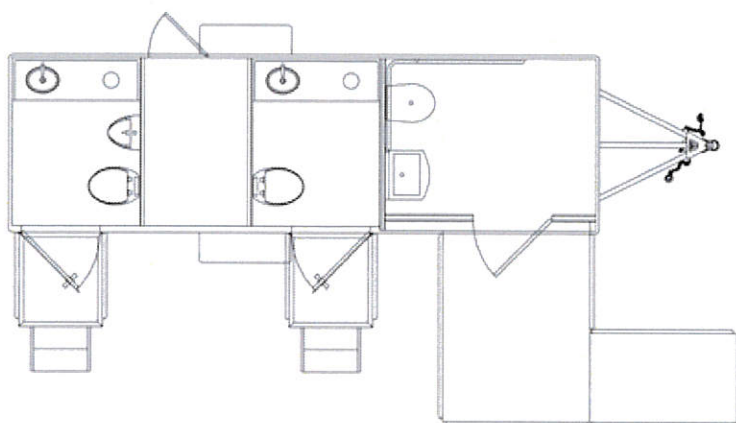


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CARGO

UltraLav™

MOBILE RESTROOM TRAILERS

(ADA) Handicap Accessible Units



Optional Features:

- Fresh Water System (105 gal.)
- Stereo
- Mirror Frames
- Dyson Airblade™ Hand Dryer
- Water Heater
- Roof Vents
- Crane Lifting Points
- Full Winterization Package

Model: WC20-ADA-2
6' W x 20' L

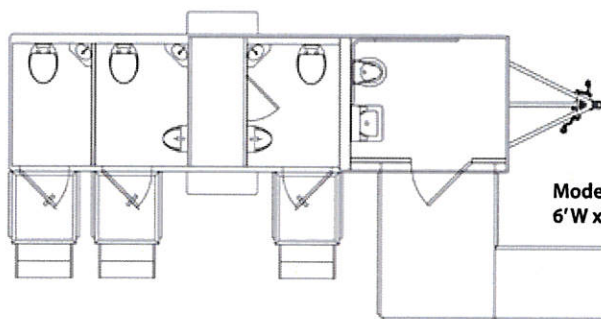
Standard Features Include:

INTERIOR

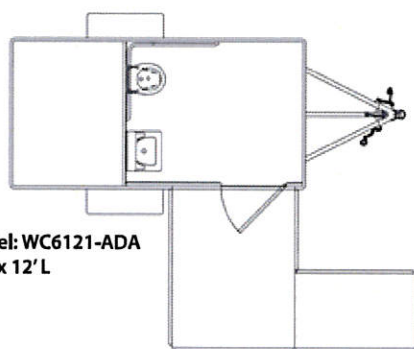
- High Clearance Porcelain Sink (ADA Compliant)
- Self-Closing Faucet With Front Push Operation
- Soap Dispenser
- Shatter Proof Mirror
- Ceramic China Bowl Toilet With Wall Mounted Push Button Flush (ADA Compliant)
- Toilet Paper Holder
- Paper Towel Dispenser
- Waste Basket
- Smooth, Mar Resistant Laminated Interior Walls
- 1-Piece, Non-Skid Rubber Floor
- 1-Piece Ceiling With Built In Air Supply & Air Return
- Wall Mounted Thermostat
- 36" W Entry Door (Exceeds ADA Requirements)
- Interior Turning Radius And Exterior Landing Turning Radius Exceeds ADA Requirements
- Hand Rails And Grab Bars Are 1 1/4" Stainless Steel (ADA Compliant)

EXTERIOR

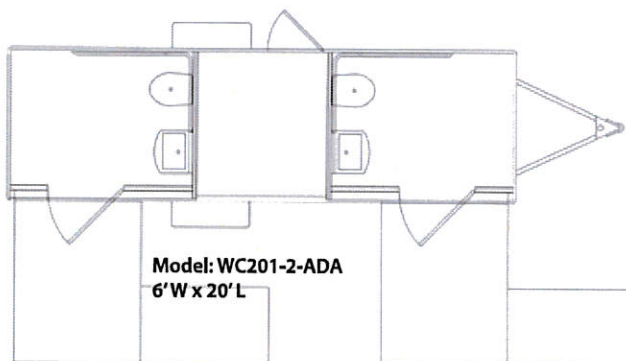
- LED Porch Light & Occupancy Indicator Light
- 3" Quick Connect Waste Tank Access Valve
- Waste Tank Level Indicator (Sight Glass)
- Fresh Water Hook-Up
- 20 AMP Motor-Base Receptacle
- Roof Mounted Low Profile A/C
- ADA Ramp System With 1 1/4" Stainless Steel Railings
- Fold-Down ATP Steps With Aluminum Railings (Standard Restroom Cubes)



Model: WC221-ADA-3
6' W x 22' L



Model: WC6121-ADA
6' W x 12' L



Model: WC201-2-ADA
6' W x 20' L

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Ultra Lav, P.O. Box 728, Elkhart, IN 46515

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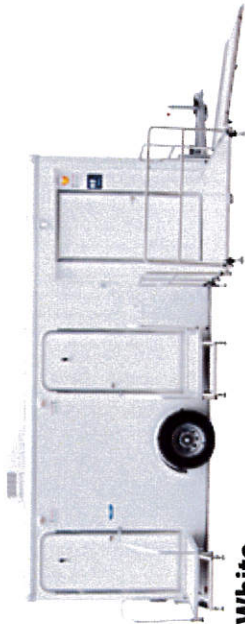


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BY UNIVERSAL TRAILER

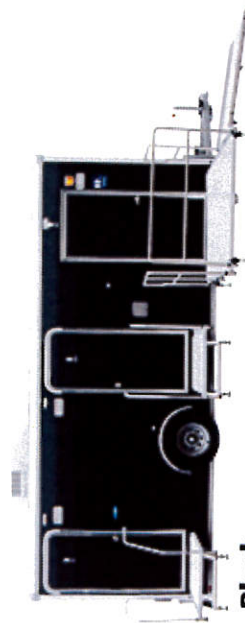
Exterior Color Options



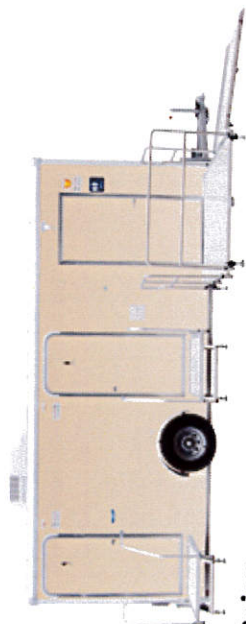
White



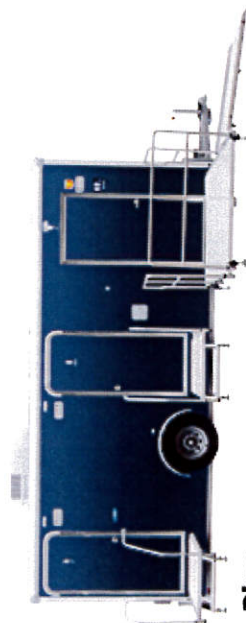
Charcoal



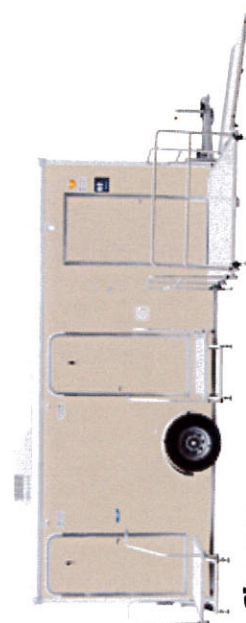
Black



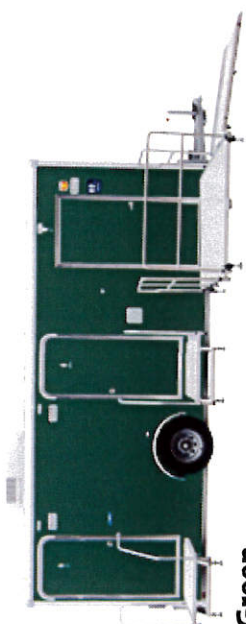
Beige



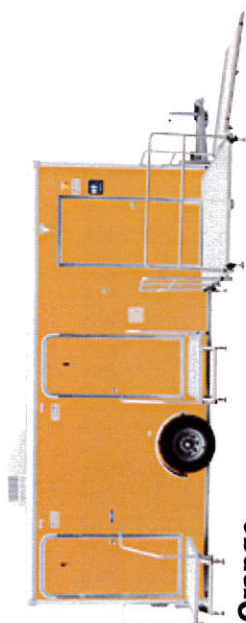
Blue



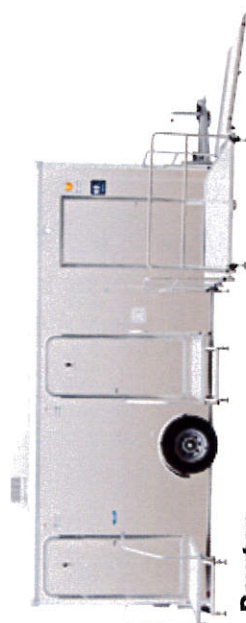
Champagne



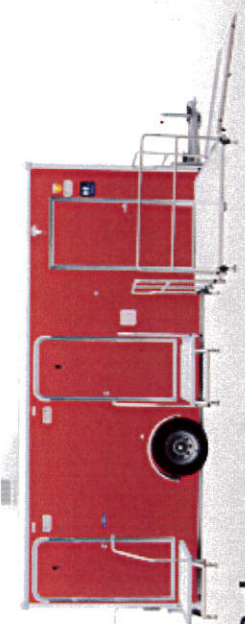
Green



Orange



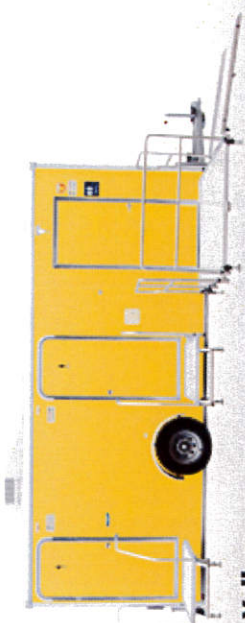
Pewter



Red



Silver Frost



Yellow

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TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: August 27, 2013

SUBJECT: Public Hearing to Consider Amendments to Section 14 of the Code of Ordinances, to provide for the Permitting of Street Performers on Public Property

AGENDA INFORMATION:

Agenda Location: Public Hearing/Unfinished Business
Item Number: 7-C
Department: Administrative Services/Police Department
Contact: Bill Hollingsed, Police Chief /Alison Melnikova, Asst. Town Manager
Presenter: Marcy Onieal, Town Manager

BRIEF SUMMARY: Having received multiple requests from itinerant street performers and from the public over the course of the past year, staff has developed an ordinance that would allow street performers to be permitted by the Town to perform on public properties (sidewalks and grounds of public facilities), provided certain conditions are met. Currently, there is no prohibition against public performance, but the Town's panhandling ordinance prevents performers from being able to collect donations for their performances even passively. The new ordinance will allow performances in designated areas for donations and will provide for an application process to include payment of a \$25 privilege fee, criminal background checks on all performers, photo IDs for permitted performers, and a set of rules expressly outlining what is and is not allowed. Downtown Waynesville Association was consulted in the development of the ordinance and is supportive of allowing street performers in the downtown area.

Upon completion of the public hearing the board may adopt the ordinance as presented, as amended, or not at all.

MOTIONS FOR CONSIDERATION:

- 1) To open the public hearing
- 2) To close the public hearing.
- 3) To adopt Ordinance O-08-13 as presented.

FUNDING SOURCE/IMPACT: Negligible. The \$25 permit fee will apply to General Fund revenues and will help offset the cost of processing the applications and ID cards.

ATTACHMENTS:

- Ordinance 08-13
- Draft of Street Performer Permit Application

MANAGER'S COMMENTS AND RECOMMENDATIONS: Adopt as presented.

ORDINANCE 08-13

AMENDMENT TO CHAPTER 14 OF THE CODE OF ORDINANCES OF THE TOWN OF WAYNESVILLE

WHEREAS, the Board of Aldermen of the Town of Waynesville finds that street performers provide a public amenity that enhances the character of the town and seeks to encourage such performances in a manner consistent with the overall public interest.

The Board of Aldermen also recognizes that street performers seek to and do draw crowds to their performances, which can create serious safety problems by impacting the ability of pedestrians to move safely on sidewalks and through crosswalks and impeding the response time of safety personnel. It can also impact access to and egress from businesses.

Cognizant that street performers are engaged in First Amendment activities, this Article imposes reasonable time, place, and manner restrictions on street performers to the extent necessary to ensure the safety of performers, their audience, and the general public and to prevent unreasonable interference with residents' enjoyment of peace and quiet in their homes or the ability of businesses to operate and conduct their business.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Waynesville, North Carolina that Chapter 14 is hereby amended to read as follows by adding Article V:

CHAPTER 14: Businesses ARTICLE V. Street Performers

Sec. 14 – 126. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section:

Street Performer means an individual who performs in a public area, for the purpose of providing public entertainment.

Perform or Performance means audible or visual entertainment such as, but not limited to, reciting or singing, acting, dancing, miming, pantomiming, playing a musical instrument or performing a theatrical or literary work.

Public Area means sidewalks, parks, playgrounds, and all other public spaces located within the town.

Sec 14 – 127. License required; procedure for issuance.

- (a) A license issued by the town shall be required of all street performers working within the town. Licenses are valid from July 1 to June 30. The fee shall be set from time to time by the board of aldermen, and is nonrefundable. Every performer within a single group is required to meet the licensing requirements of this ordinance.
- (b) Application for a license to become a street performer in the town shall include, at a minimum, the following information and requirements:
 - (1) The name, permanent address, phone number, and proof of the identity of the applicant. Acceptable forms of identification shall include, but not be limited to, a driver's license, student identification card, or passport.
 - (2) A detailed description of the nature of the act to be performed;
 - (3) A detailed description of any instrument(s) or prop(s) which will be used by the performer;
 - (4) Two (2) two inch by two inch (2x2) head shot color photos of the applicant. One shall be kept with the application, and the other included on the final license.
- (c) Before any license shall be issued under this section, the applicant shall submit to a criminal background history check which shall be reviewed by the chief of police or his designee to determine eligibility of the applicant. No applicant shall be eligible for issuance or renewal of a license under this section if the applicant has been convicted of two (2) or more offenses within a period of five (5) years preceding the application where each offense involved an assault, sex offense, communicating a threat, illegal use of a weapon or other act of violence or attempted violence.
- (d) Upon receipt of a signed complete application for a performance license, the town manager or his designee shall approve the permit within five business days, unless one of the following findings is made:
 - (1) The applicant knowingly made a false, misleading or fraudulent statement of fact to the town in the application process;
 - (2) The application does not contain the information required by this Article;
 - (3) The applicant has not satisfied the requirements of this Article.
- (e) A street performer license is not assignable or transferable.
- (f) Licenses must be displayed at all times during performances.

Sec. 14 – 128. Locations where street performers are allowed.

- (a) Street performers may only perform at specified areas of public property within Waynesville which the town manager or his designee determines to be reasonably suitable to conduct street performances without adversely impacting the community as described herein.
- (b) Public areas for street performance are available on a first-come, first-serve basis each day. No street performer shall claim a greater right to perform at any location over a street performer who arrives first at the same location.

- (c) The town manager or his designee may solicit opinions from any party concerning the suitability of allowing street performances at any area of public property in Waynesville. The town manager shall assess such information thereby developed and may exclude or include additional sites for good cause related to public safety, public health, public peace, or the peaceful enjoyment of nearby premises. Any party may petition the board of aldermen for inclusion or exclusion of a particular public area from the list of areas where street performances are permitted.
- (d) No street performer may perform within 50 feet of another street performer; however, this provision shall not preclude street performers who are performing together from performing in close proximity to one another.
- (e) *Excluded areas.* Performances are not permitted within 50 feet of any structure which is used as a school, library, hospital, church, funeral home, or courthouse. No performance may occur within 50 feet of the property line of a cemetery. No performance shall occur within an encroachment area for dining on a public sidewalk. No performance activity shall interfere with or impede the flow of pedestrian traffic at a crosswalk, building entrance, private patio, or curb cut, or entrance into an encroachment area for dining. No performance may occur within 100 feet of any special event authorized by the town unless the performer has been approved by the event organizer. Street performers shall not perform on private property without written permission of the property owner. Street performers are required to keep the writing granting such permission on their person during any performance on private property. Notwithstanding, street performers shall not conduct any performances on property used for any residential purpose.

Sec. 14 – 129. Cooperative performances; limit on number of street performers.

Any street performance may be performed cooperatively by a group of no more than three (3) total performers, unless a specific public area has been determined by the town manager to be large enough to accommodate groups larger than three.

Sec. 14 – 130. Regulations.

- (a) Street performers shall not block, or cause the blocking of any sidewalk, passageway, street, or any ingress or egress to any building, structure, driveway or other passage. Sidewalks must maintain a minimum of four feet of pedestrian passageway during a performance.
- (b) Street performances are not permitted at any public area not presently identified on the list maintained by the town, unless a performer has been contracted by the town or the Downtown Waynesville Association to perform on a specific day in a specific location.
- (c) Street performers shall not infringe or detract from the purpose of special events, temporary gatherings or vendor activities for which a Town permit has been issued to another party.
- (d) Street performers shall not remain at one designated public area for a total duration of more than four (4) hours during any one-day period, unless contracted by the town or the Downtown Waynesville Association to perform on a specific day in a specific location.

Musicians may not repeat the same set within a single one-day period. When a street performer leaves a location, the street performer shall not return to that location for at least one (1) hour. No instruments, props, merchandise, or other items may be left unattended.

- (e) Street performances are not permitted before 11:00 a.m. nor after 9:00 p.m.
- (f) No street performer on public property shall connect to, or cause to be connected to, any source of electrical power or water on public or nearby private property as part of preparation to perform or actual performance. No performer shall use any generator or wet cell battery with removable fill caps. This provision shall not be construed to forbid use of instruments or items with self-contained and secure electrical power supply such as batteries, or the use of a container of potable water for drinking.
- (g) Street performers may accept contributions of money or property at their performance in exchange for their artistic performance as allowed in this section, and may sell audio or video recordings of their own artistic works. Street performers shall not sell any other goods, wares, works of art or conduct any other service on public property.
- (h) No performer shall solicit donations by spoken word or gesture. However, donations may be received in any receptacle, such as an open musical instrument case, box, or hat, and said action will not be in violation of Section 44-1, begging. Receptacles may only be open during the time which a performer is actively performing or setting up or taking down for a performance.
- (i) Street performers may display one (1) sign no larger than eighteen (18) inches by eighteen (18) inches advertising the sale of their own artistic work and asking for compensation in exchange for their live performance. Said sign may be placed on a prop or sandwich board-type stand in a location no closer than three (3) feet from any curb and not in any location which impedes any foot traffic, parking or persons entering or exiting any motor vehicle. Street performers shall remove such signs from any location at the conclusion of their performance. No sign, handbill, flyer or other advertisement shall be left at any location after the conclusion of a performance.
- (j) No street performer shall make any use in any way of fire, sharp instruments or objects, spray paint, aerosols, firearms (real or simulated), dangerous weapons or any form of harmful chemicals during a street performance.
- (k) Street performers shall not utilize any speaker, microphone, or mechanical amplification device. Street performers shall not commit any violation of chapter 26, article III, noise.
- (l) While conducting a street performance, street performers shall not use language or gesture, or display any matter which:
 - (1) Is obscene as prohibited by G.S. § 14-190.1;
 - (2) Incites or urges riot as prohibited by G.S. § 14-288.2; or
 - (3) Is defamatory, insulting or constitutes a communication which tends to inflict injury or incite an immediate breach of the peace.

Sec. 14 – 131. Enforcement.

- (a) When directed by any Town official, street performers shall promptly comply with the directions to cease or relocate street performances when the Town official determines that such action is necessary in response to a complaint by a patron or business operator that the street performance interferes with any private business.
- (b) Any person who fails or refuses to comply with the regulations contained in this section, or to produce a license issued herein upon request of a Town official, shall be guilty of a class 3 misdemeanor. Except as otherwise provided herein, a police officer shall issue a citation for a violation of this section.
 - (1) A police officer may arrest a street performer or performers for a violation of section 14-101, interference with the enforcement activities of the officer, or any other act which causes an imminent danger to the public health or safety.
- (c) *Revocation; suspension.* Additionally, the town may revoke or suspend a license upon the commission of a second violation of either this Article or of permit conditions within a six-month period. A performer's permit may be suspended for up to four (4) months. If the permit is suspended, no new permit may be issued during the period of suspension. Any revocation of a performer's permit shall be for six (6) months unless the performer previously had a permit revoked, in which case the permit shall be revoked for twelve (12) months.

Sec. 14 – 132 Exemptions.

This article shall not apply to:

- (a) Activities which are a part of a film or television production.
- (b) Any person engaged in a special event as that term is defined in section 14-82 who has the express authorization of the event organizer.

Adopted this 27th day of August, 2013.

TOWN OF WAYNESVILLE

ATTEST:

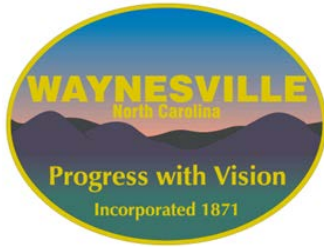
Gavin A. Brown
Mayor

Eddie Ward
Deputy Town Clerk

APPROVED AS TO FORM:

Woodrow H. Griffin
Town Attorney

Marcia D. Onieal
Town Manager



TOWN OF WAYNESVILLE, NORTH CAROLINA

Street Performer Permit Application

Effective: July 1, _____ to June 30, _____

License # _____

16 South Main Street, Waynesville, NC

(828) 452-2491

About This Form

You must use this form to apply for a permit to perform within the Town of Waynesville. If you are **under 18 years of age** your parent or guardian must sign the parental waiver on this form before you can obtain a permit. **Each member of a group act** must submit a separate application and display his own permit while performing. Group permits are not available.

Street Performers are only allowed to accept donations when performing within specific public areas designated by the Town. A listing of these areas is available from the Town Clerk. Space is available on a first-come first-serve basis each day, and cannot be reserved. **Applicants are encouraged to review the entire street performer ordinance and designated public areas before submitted this application.**

The Application Process

1. Submit this complete form to the Town Clerk, whose offices are located in the Municipal Building at 16 South Main Street. Office hours are 8:30 am – 5:00 pm Monday – Friday.
2. To be considered complete a form must be accompanied by:
 - a. The annual license fee of \$25.00
 - b. two (2) two inch by two inch (2x2) color head shot photos of the applicant. One shall be kept with the application, and the other included on the final license.
3. Visit the Waynesville Police Department for the required background check.
4. Your permit will be ready for pick up within five (5) business days.

Applicant Details

First Name _____ Last Name _____

Street Address _____

Mailing Address (if different) _____

Email Address _____

Mobile Number _____ Home Number _____

Permit Details

Are you renewing a permit or applying for a new permit? ☐ New Permit ☐ Renewal

Town of Waynesville Street Performance Permit # _____

Proof of Identity

You must provide proof of your identity and proof of identify of your parent/guardian if you are under age 18.

For Office Use Only: To be completed by town staff when application is submitted. Identification type and #
(Official photo ID, driver's license, student ID, Passport, or other acceptable photo ID)

Performance Details

Performance Description (including equipment used and costume/outfit/appearance)

Please select the type of performance by checking the box/es below:

- | | | |
|---------------------------------|--|---------------------------------------|
| <input type="checkbox"/> Vocals | <input type="checkbox"/> Dance | <input type="checkbox"/> One Man Band |
| <input type="checkbox"/> Comedy | <input type="checkbox"/> Juggling (non-dangerous implements) | <input type="checkbox"/> Mime/Statue |

- ☐ Instrumental --> Please specify which instrument(s) you will play

- ☐ Other --> Please specify the type of performance and supplies/equipment used

Parental/Guardian Consent Details (if applicant is under age 18)*

I (please print name) _____

Of (please print address) _____

Hereby consent to my child/ward (please print name) _____

performing as a street performer in the Town of Waynesville. I understand that:

1. The Town of Waynesville provides **no** supervision of street performers under the age of 18 years; and
2. Street Performers under the age of 18 are subject to the T Street Performer ordinance.

* Parent/Guardian Name (please print) _____

* Parent/Guardian Signature _____ Date _____

Application Submission

I, the undersigned, declare as follows (all boxes must be checked to indicate that you have read and accept each point)

- ☐ I am only allowed to perform between the hours of 11:00 a.m. and 9:00 p.m. all days of the week at specific public locations designated by the Town of Waynesville.
- ☐ I will not remain at one designated public performance area for a total duration of more than four (4) hours during any one-day period, nor shall I repeat the same set within a one-day period.
- ☐ I am aware that I am not allowed to perform within 50 feet of another street performer, or any structure which is used as a school, library, hospital, church, funeral home, or courthouse.
- ☐ I am aware that I am not allowed to perform within 100 feet of any special event authorized by the town unless I have been approved by the event organizer
- ☐ I will not interfere with the flow of pedestrian traffic at a crosswalk, building entrance, private patio, or curb cut, or entrance into an encroachment area for dining.
I will not use any speaker, microphone, or mechanical amplification device, and will comply with the Town's noise ordinance (Chapter 26, section III).
- ☐ I will submit to a criminal background history check prior to being issued a permit I understand that I will not receive a license if I have been convicted of two (2) or more offenses within a period of five (5) years preceding this application where each offense involved an assault, communicating a threat, illegal use of a weapon or other act of violence or attempted violence.
- ☐ I know that the use of language or behavior which is obscene, incites or urges riot, or is defamatory, insulting or constitutes a communication which tends to inflict injury or incite an immediate breach of the peace will result in revocation of my license.
- ☐ I will only accept donations from the public when I have obtained my Street Performer license, and it is on display during my performance. I understand I cannot directly solicit donations by spoken word or gesture.
- ☐ I have read the Town of Waynesville's Street Performers Ordinance and agree to be bound by the conditions contained within the Ordinance.
- ☐ I have reviewed the Town of Waynesville's list of designated areas where Street Performers are permitted, and agree to keep my performance within the boundaries of those areas. If I perform in a non-designated area, I understand I am not allowed to accept donations.

Applicant Name (please print) _____

Applicant Signature _____

Date _____

OFFICE USE ONLY

Date Received _____

Date Reviewed _____

Employee Name _____

☐ Permit Approved

☐ Permit Denied

TOWN OF WAYNESVILLE BOARD OF ALDERMEN
REQUEST FOR BOARD ACTION
Meeting Date: August 27, 2013

SUBJECT: Amendment #1 and #2 to the 2013-2014 Budget Ordinance and Amendment #1 and #2 to the 2013-2014 Financial Operating Plan for Internal Service Funds

AGENDA INFORMATION:

Agenda Location: New Business
Item Number: 8-C
Department: Finance Department
Contact: Eddie Caldwell, Finance Director
Presenter: Marcy Onieal, Town Manager / Eddie Caldwell, Finance Director

BRIEF SUMMARY: The attached amendment #1 to the 2013-2014 Budget Ordinance and Amendment #1 to the 2013-2014 Financial Operating Plan for Internal Service Funds removes all revenues and appropriations associated with the proposed annexation of the Lake Junaluska Assembly.

General Fund Summary: (Amendment #1 to the 2013-2014 Budget Ordinance)

Revenues:

Total general fund revenue decreases	(\$720,420)
Powell Bill fund balance appropriation decrease	(\$120,000)
Total general fund revenue increases	\$35,600
Fund balance appropriation increase	<u>\$120,000</u>
Net general fund revenue decrease	(\$684,820)

Appropriations:

Total general fund appropriations decrease	(\$684,820)
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Water Fund Summary: (Amendment #1 to the 2013-2014 Budget Ordinance)

Revenues:

Fund balance appropriation decrease	(\$196,120)
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Appropriations:

Total water fund appropriation decrease	(\$196,120)
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Sewer Fund Summary: (Amendment #1 to the 2013-2014 Budget Ordinance)

Revenues:

Fund balance appropriation decrease	(\$239,220)
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Appropriations:

Total sewer fund appropriation decrease	(\$239,220)
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Garage Fund Summary: (Amendment #1 to the 2013-2014 Financial Operating Plan for Internal Service Funds)

Revenues:

Total garage fund revenue decrease (\$39,510)

Appropriations:

Total garage fund appropriation decrease (\$39,510)

The attached amendment #2 to the 2013-2014 Budget Ordinance and Amendment #2 to the 2013-2014 Financial Operating Plan for Internal Service Funds is summarized as follows:

- amendment #2 takes out the revenue and appropriation associated with a grant not awarded (\$75,000 grant and \$150,000 appropriation for resurfacing the tennis courts).
- amendment #2 reallocates the town's match on the tennis court grant (\$75,000) to a recreation master plan study (\$40,000) and provides funds for the purchase of portable bathrooms (\$35,000).
- amendment #2 adds funds and appropriations for four projects that were budgeted in the prior year (year ended June 30, 2013) yet were not completed by year end. To complete these projects, unspent funds will need to be re budgeted in the current 2013-2014 budget year.

Project #1: New skate park construction:

The town had planned on spending \$446,000 on the new skate park in the 2012-2013 year. \$400,000 was budgeted for the skate park and \$46,000 was to be spent from the under spent department expenditures.

At year end, the estimated amount spent on the skate park is \$191,000. Therefore we will need to budget the unspent amount from the prior year \$255,000 to the current year. These funds will come from fund balance appropriated.

Project #2: Historical Guidelines Manual:

The town had budgeted \$15,000 in the 2012-2013 year.

At year end, the estimated amount spent on the historic guidelines is \$9,000. Therefore we will need to budget the unspent amount from the prior year \$6,000 to the current year. These funds will be reimbursed from a grant.

Project #3: North Main Street Design:

The Town had budgeted \$35,000 in the 2012-2013 year.

At year end, the estimated amount spent on the North Street design was \$18,860. Therefore we will need to budget the unspent amount from the prior year \$16,140 to the current year. These funds will be reimbursed from a grant.

Project #4: Filter actuators and pipe gallery painting:

The Town had budgeted \$143,000 for replacing filter actuators and \$50,000 for painting the pipe gallery in the 2012-2013 year.

At year end, the estimated amount spent on replacing the actuators and painting the pipe gallery is \$128,700. Therefore we will need to budget the unspent amount from the prior year \$64,300 to the current year. These funds will come from fund balance appropriated.

- amendment #2 moves funds from within the current budget for an employee wellness program \$39,890.

MOTION FOR CONSIDERATION: To approve Amendment No. 1 and 2 to the 2013-2014 Budget Ordinance and to approve Amendment No. 1 and 2 to the 2013-2014 Financial Operating Plan for Internal Service Funds.

FUNDING SOURCE/IMPACT:**Amendment No. 1:**

In the General Fund the elimination of the annexation costs will cause the use of the Powell Bill fund balance to decrease by (\$120,000) and cause the use of the general fund balance to increase by \$120,000. All other revenues decreases and increases will equal the appropriations decreases. In the Water and Sewer Fund the elimination of the annexation costs will cause the use of fund balance to drop by (\$196,120) and (\$239,220).

Amendment No. 2:

In the General Fund the proposed budget changes will cause the use of the general fund balance to increase by \$255,000. However, all of these funds were approved and not spent in the prior year's budget. In the Water Fund the proposed budget changes will cause the use of fund balance to increase by \$64,300. Here again, these funds were approved and not spent in the prior year's budget. All other revenue increases and decrease will equal the appropriations increases and decreases.

ATTACHMENTS:

- Amendment No. 1 to the 2013-2014 Budget Ordinance
- Amendment No. 2 to the 2013-2014 Budget Ordinance
- Amendment No. 1 to the 2013-2014 Financial Operating Plan for Internal Service Funds
- Amendment No. 2 to the 2013-2014 Financial Operating Plan for Internal Service Funds

MANAGER'S COMMENTS AND RECOMMENDATIONS: Approve as presented.

Ordinance No. _____

Amendment No. 1 to The 2013-2014 Budget Ordinance

WHEREAS, the Board of Aldermen of the Town of Waynesville, wishes to amend the 2013-2014 Budget Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Waynesville that the 2013-2014 Budget Ordinance be amended as follows:

General Fund:

Decrease the following revenues:

Taxes Ad Valorem			
Taxes-Ad Valorem 2013	103000-403013		\$620,230
Motor Vehicle Taxes 2013	103000-403213		28,190
Sales and Services			
Residential Sanitation Fees	103600-454511		72,000
Other Financing Sources			
Fund Balance Appropriation-Powell Bill	103900-493991		120,000
Total General Fund revenue decrease			<hr/> \$840,420

(Removing all revenues associated with the proposed annexation of Lake Junaluska.)

Increase the following revenues:

Sales and Services			
Fire Protection Fees	103600-454340		\$35,600
Other Financing Sources			
Fund Balance Appropriation	103900-493992		120,000
Total General Fund revenue increase			<hr/> \$155,600

(Adding back revenue that would have been lost with the proposed annexation of Lake Junaluska.)

Decrease the following appropriations:

Finance Department			
Overtime Pay	104130-511210		\$1,500
Fica	104130-511810		120
Retirement	104130-511820		100
401 (k)	104130-511825		80
Gas	104130-532510		830

	Tires	104130-532520	260
	Vehicle Repairs & Maint.	104130-532530	410
Public	Buildings and Grounds		
	Gas	104260-532510	170
	Tires	104260-532520	50
	Vehicle Repairs & Maint.	104260-532530	90
Police	Department		
	Wages	104310-511210	69,480
	Fica	104310-511810	5,320
	Retirement	104310-511820	5,060
	401 (k)	104310-511825	3,470
	Health Insurance	104310-511830	27,270
	Life Insurance	104310-511832	170
	Dental Insurance	104310-511833	680
	Unemployment Insurance	104310-511850	430
	Laundry Allowance	104310-513920	720
	Uniforms	104310-532120	2,860
	Gas	104310-532510	8,740
	Tires	104310-532520	2,720
	Vehicle Repairs & Maint.	104310-532530	4,420
Fire	Department		
	Wages	104340-511210	118,740
	Fica	104340-511810	9,080
	Retirement	104340-511820	8,900
	401 (k)	104340-511825	5,940
	Health Insurance	104340-511830	45,440
	Life Insurance	104340-511832	280
	Dental Insurance	104340-511833	1,140
	Unemployment Insurance	104340-511850	850
	Laundry Allowance	104340-513920	1,200
Street and Sanitation			
	Wages	104510-511210	60,640
	Overtime	104510-511220	5,000
	Fica	104510-511810	5,030
	Retirement	104510-511820	4,650
	401 (k)	104510-511825	3,410
	Health Insurance	104510-511830	39,760
	Life Insurance	104510-511832	230
	Dental Insurance	104510-511833	960
	Unemployment Insurance	104510-511850	860
	Professional Services	104510-521990	6,000
	Uniforms	104510-532120	2,640
	Gas	104510-532510	9,540
	Tires	104510-532520	2,960
	Vehicle Repairs & Maint.	104510-532530	4,820
	Materials and Supplies	104510-532920	25,000
	Electric	104510-533310	36,800
	Compost	104510-534440	5,000
	Tipping Fess	104510-534450	25,000
Powell	Bill		
	Professional Services	104560-521990	7,500
	Materials and Supplies	104560-532920	4,000
	Paving and Infrastructure	104560-534430	108,500

Total General Fund appropriation decrease	<u>\$684,820</u>
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(Removing all expenditures associated with the proposed annexation of Lake Junaluska.)

Water Fund:

Decrease the following revenues:

Other Financing Sources

Fund Balance Appropriated	613900-493992	\$196,120
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Total Water Fund revenue decrease	<u>\$196,120</u>
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(Removing all revenues associated with the proposed annexation of Lake Junaluska.)

Decrease the following appropriations:

Water Maintenance

Wages	617121-511210	\$33,310
Overtime	617121-511220	2,000
Fica	617121-511810	2,700
Retirement	617121-511820	2,500
401 (k)	617121-511825	1,770
Health Insurance	617121-511830	5,750
Life Insurance	617121-511832	60
Dental Insurance	617121-511833	230
Unemployment Insurance	617121-511850	210
Uniforms	617121-532120	1,050
Gas	617121-532510	1,950
Tires	617121-532520	600
Vehicle Repairs & Maint.	617121-532530	990
Materials and Supplies	617121-532920	40,000
Electric	617121-533310	3,000
Capital Improvements	617121-545900	100,000

Total Water Fund appropriation decrease	<u>\$196,120</u>
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(Removing all expenditures associated with the proposed annexation of Lake Junaluska.)

Sewer Fund:

Decrease the following revenues:

Other Financing Sources

Fund Balance Appropriated	623900-493992	\$239,220
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Total Sewer Fund revenue decrease	<u>\$239,220</u>
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(Removing all revenues associated with the proposed annexation of Lake Junaluska.)

Decrease the following appropriations:

Sewer Maintenance

Wages	627121-511210	\$47,200
Overtime	627121-511220	4,000
Fica	627121-511810	3,920
Retirement	627121-511820	3,630
401 (k)	627121-511825	2,560
Health Insurance	627121-511830	22,720
Life Insurance	627121-511832	140
Dental Insurance	627121-511833	570
Unemployment Insurance	627121-511850	420
Uniforms	627121-532120	2,100
Gas	627121-532510	530
Tires	627121-532520	160
Vehicle Repairs & Maint.	627121-532530	270
Materials and Supplies	627121-532920	10,000
Electric	627121-533310	2,000
Equipment Repairs & Maint.	627121-533520	7,000
Contract Services	627121-534490	2,000
Equipment	627121-545500	30,000
Capital Improvements	627121-545900	100,000

Total Sewer Fund appropriation decrease	<u>\$239,220</u>
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(Removing all expenditures associated with the proposed annexation of Lake Junaluska.)

Adopted this 27th day of August 2013.

Town of Waynesville

Gavin A Brown
Mayor

Attest:

Eddie Ward
Deputy Town Clerk

Approved As To Form:

Woodrow H. Griffin
Town Attorney

Ordinance No. _____

Amendment No. 2 to The 2013-2014 Budget Ordinance

WHEREAS, the Board of Aldermen of the Town of Waynesville, wishes to amend the 2013-2014 Budget Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Waynesville that the 2013-2014 Budget Ordinance be amended as follows:

General Fund:

Decrease the following revenues:

Restricted Intergovernmental Revenues		
Miscellaneous Grants	103350-436129	\$75,000
(Town was not awarded grant for improvements to the tennis courts.)		
Total General Fund revenue decrease		<hr/> \$75,000

Increase the following revenues:

Restricted Intergovernmental Revenues		
Miscellaneous Grants	103350-436129	\$22,140
(Funds budgeted last year (year ended June 30, 2013) and not spent. Funds are needed to be carried over to current year to finish planned historic guidelines manual \$6,000 and North Main Street design \$16,140.)		
Sales and Services		
Charges to Water Fund	103600-454131	3,750
Charges to Sewer Fund	103600-454132	3,680
Charges to Electric Fund	103600-454133	1,880
(Move funds for Wellness Program to General Fund.)		
Other Financing Sources		
Fund Balance Appropriation	103900-493992	255,000
(Funds budgeted last year (year ended June 30, 2013) and not spent. Funds are needed to be carried over to current year to finish planned Skate Park project \$255,000.)		
Total General Fund revenue increase		<hr/> \$286,450

Increase the following appropriations:

Planning and Code Enforcement		
Professional Services	104910-521990	\$22,140
(Expenditures budgeted last year (year ended June 30, 2013) and not spent. Expenditures are needed to be carried over to		

current year to finish planned historic guidelines manual \$6,000 and North Main Street design \$16,140.)

Recreation Department

Professional Services	106120-521990	40,000
(Budget funds for a recreation master plan study.)		

Capital Outlay	106120-545900	35,000
(Budget funds for portable bathrooms.)		

Capital Outlay	106120-545900	255,000
(Expenditures budgeted last year (year ended June 30, 2013) and not spent. Expenditures are needed to be carried over to current year to finish Skate Park project \$225,000.)		

Administration

Professional Services	104120-521990	39,890
(Set up funds for Wellness Program costs.)		

Total General Fund appropriation increase	<u>\$392,030</u>
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Decrease the following appropriations:

Administration

Wages	104120-511210	3,050
Vehicle Repair and Maint.	104120-532530	10
(Move or set side an amount for Wellness Program costs.)		

Finance

Wages	104130-511210	2,470
Vehicle Repair and Maint.	104130-532530	20
(Move or set side an amount for Wellness Program costs.)		

Public Building and Grounds

Wages	104260-511210	340
(Move or set side an amount for Wellness Program costs.)		

Police

Wages	104310-511210	10,750
Vehicle Repair and Maint.	104310-532530	190
(Move or set side an amount for Wellness Program costs.)		

Fire

Wages	104340-511210	3,450
Vehicle Repair and Maint.	104340-532530	30
(Move or set side an amount for Wellness Program costs.)		

Street and Sanitation

Wages	104510-511210	4,660
Vehicle Repair and Maint.	104510-532530	230
Occupancy Cost	104510-534320	170
(Move or set side an amount for Wellness Program costs.)		

Cemetery		
Wages	104740-511210	350
(Move or set side an amount for Wellness Program costs.)		
Planning & Zoning		
Wages	104910-511210	880
(Move or set side an amount for Wellness Program costs.)		
Inspections		
Wages	104911-511210	770
Vehicle Repair and Maint.	104911-532530	10
(Move or set side an amount for Wellness Program costs.)		
Recreation		
Wages	106120-511210	3,180
Vehicle Repair and Maint.	104911-532530	20
(Move or set side an amount for Wellness Program costs.)		
Recreation Department		
Capital Outlay	106120-545900	150,000
(Will not receive grant for improvements to the tennis courts.)		
Total General Fund appropriation decrease		<u>\$180,580</u>

Water Fund:

Increase the following revenues:

Other financing sources		
Fund balance appropriated	613900-493992	\$64,300
(Expenditures budgeted last year (year ended June 30, 2013) and not spent. Expenditures are needed to be carried over to current year to finish planned filter actuator replacements and pipe gallery paint project.)		
Total Water Fund revenue increases		<u>\$64,300</u>

Decrease the following appropriations:

Water Maintenance		
Wages	617121-511210	\$1,800
Vehicle Repair and Maint.	617121-532530	50
Occupancy Cost	617121-534320	100
(Move funds for Wellness Program to General Fund.)		
Water Treatment		
Wages	617122-511210	1,800
(Move funds for Wellness Program to General Fund.)		
Total Water Fund appropriation decrease		<u>\$3,750</u>

Increase the following appropriations:

Water Treatment		
Capital Improvements	617122-545900	\$64,300
(Expenditures budgeted last year (year ended June 30, 2013) and not spent. Expenditures are needed to be carried over to current year to finish planned filter actuator replacements and and pipe gallery paint project.)		
Administration and Finance		
Charges by the General Fund	617125-554970	3,750
(Move funds for Wellness Program to General Fund.)		
Total Water Fund appropriation increase		<hr/> \$68,050

Sewer Fund:

Decrease the following appropriations:

Sewer Maintenance		
Wages	627121-511210	\$1,140
Vehicle Repair and Maint.	627121-532530	10
Occupancy Cost	627121-534320	50
(Move funds for Wellness Program to General Fund.)		
Sewer Treatment		
Wages	627122-511210	2,470
Vehicle Repair and Maint.	627122-532530	10
(Move funds for Wellness Program to General Fund.)		
Total Sewer Fund appropriation decrease		<hr/> \$3,680

Increase the following appropriations:

Administration and Finance		
Charges by the General Fund	627125-554970	\$3,680
(Move funds for Wellness Program to General Fund.)		
Total Sewer Fund appropriation increase		<hr/> \$3,680

Electric Fund:

Decrease the following appropriations:

Electric Maintenance		
Wages	637121-511210	\$1,540
Vehicle Repair and Maint.	637122-532530	30
Occupancy Cost	627121-534320	310
(Move funds for Wellness Program to General Fund.)		
Total Electric Fund appropriation decrease		<hr/> \$1,880

Increase the following appropriations:

Administration and Finance

Charges by the General Fund 637125-554970

\$1,880

(Move funds for Wellness Program to General Fund.)

Total Electric Fund appropriation increase

\$1,880

Adopted this 23rd day of July 2013.

Town of Waynesville

Gavin A Brown
Mayor

Attest:

Eddie Ward
Deputy Town Clerk

Approved As To Form:

Woodrow H. Griffin
Town Attorney

Amendment No. 1 to the 2013-2014 Financial Operating Plan For Internal Service Funds

WHEREAS, the Board of Aldermen of the Town of Waynesville, wishes to amend the financial operating plans of the internal service funds.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Waynesville that the 2013-2014 financial operating plans of the internal service funds is amended as follows:

Garage Fund:

Decrease the following revenues:

Charges to User Departments	
823650-453610	\$35,010
823650-453661	3,540
823650-453662	960
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Total Garage Fund revenue decrease	\$39,510

(Removing all revenues associated with the proposed annexation of Lake Junaluska.)

Decrease the following appropriations:

Garage Operations			
Gas and Oil	828200-532510		\$21,760
Tire	828200-532520		6,750
Materials & Supplies	828200-532920		11,000
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Total Garage Fund appropriation decrease			\$39,510

(Removing all expenditures associated with the proposed annexation of Lake Junaluska.)

Adopted this 27th day of August 2013.

Town of Waynesville

Gavin A. Brown
Mayor

Attest:

Eddie Ward
Deputy Town Clerk

Approved As To Form:

Woodrow H Griffin
Town Attorney

Amendment No. 2 to the 2013-2014 Financial Operating Plan For Internal Service Funds

WHEREAS, the Board of Aldermen of the Town of Waynesville, wishes to amend the financial operating plans of the internal service funds.

NOW, THEREFORE, BE IT ORDAINED by the Board of Aldermen of the Town of Waynesville that the 2013-2014 financial operating plans of the internal service funds is amended as follows:

Public Operations

Decrease the following revenues

Charges to user Departments

813650-453610	\$170
813650-453661	100
813650-453662	50
813650-453663	310
813650-453682	200

(Move funds for Wellness Program to General Fund.)

Total Public Operations revenue increases	<u>\$830</u>
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Decrease the following appropriations:

Public Operations

Wages	818100-511210	\$830
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(Move funds for Wellness Program to General Fund.)

Total Public Operations appropriation decrease	<u>\$830</u>
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Garage Fund:

Decrease the following revenues:

Charges to User Departments

823650-453610	\$510
823650-453661	50
823650-453662	20
823650-453663	30

(Move funds for Wellness Program to General Fund.)

Total Garage Fund revenue decrease	<u>\$610</u>
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Decrease the following appropriations:

Garage Operations

Wages	828200-511210	\$410
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Public Operations	828200-534320	200
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(Move funds for Wellness Program to General Fund.)

Total Garage Fund appropriation decrease	<u>\$610</u>
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Adopted this 27th day of August 2013.

Town of Waynesville

Gavin A. Brown
Mayor

Attest:

Eddie Ward
Deputy Town Clerk

Approved As To Form:

Woodrow H Griffin
Town Attorney

**RESOLUTION
OF THE TOWN OF WAYNESVILLE**



WHEREAS, S. Ellis Hankins, Executive Director of the North Carolina League of Municipalities, a leader in municipal government and leadership for nearly thirty years, has announced his retirement; and

WHEREAS, S. Ellis Hankins began his career with the League in October, 1982 as Assistant General Counsel, was promoted to Associate General Counsel and later to General Counsel and Chief legislative lobbyist in 1987, serving in that position until departing the League staff in 1994; and

WHEREAS, S. Ellis Hankins returned to the League as its Executive Director in 1997, becoming only the fifth full-time Executive Director of the North Carolina League of Municipalities in its 105-year history; and

WHEREAS, the work of S. Ellis Hankins benefitted the citizens of the cities and towns in the State of North Carolina, including the Town of Waynesville; and

WHEREAS, S. Ellis Hankins has worked to promote good government in North Carolina through the League's offering non-partisan advocacy, insurance and other services as directed by the membership; and

NOW, THEREFORE, BE IT RESOLVED, by the Town of Waynesville Board of Aldermen, that S. Ellis Hankins, of the North Carolina League of Municipalities, be honored for faithful service and lasting contributions to municipal government, and that a copy of this resolution be forwarded to S. Ellis Hankins.

BE IT FURTHER RESOLVED, that the Town of Waynesville Board of Aldermen personally relay expressions of appreciation to S. Ellis Hankins for his many years of leadership in municipal government, extend good wishes in all his future endeavors and wish him much enjoyment during his retirement years.

Adopted this 27th day of August, 2013.

TOWN OF WAYNESVILLE

ATTEST:

Gavin A. Brown, Mayor

Eddie Ward, Deputy Town Clerk