

## **February 7, 2005 meeting,**

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, February 7, 2005 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Edwin Hall, Billy Mashburn, Charles Roper, Bob Scott and Jim Williamson were present.

### **Approval of the minutes**

**Motion was made by Hall, seconded by Curtis to approve the minutes for the January 3, 2005 meeting as presented. Motion carried. Vote: 6 to 0.**

### **Rotary International Proclamation**

**Motion was made by Scott, seconded by Williamson to proclaim February 23, 2005 as *Rotary International Day* in Franklin. Motion carried. Vote: 6 to 0. A copy of the proclamation is attached.**

### **Persons to be heard**

Dan Williams at East Dogwood Drive, Franklin, North Carolina (Phone – 524-9085) said over two years ago I had a small problem that should have been solved in five minutes. He said nobody has ever solved the problem. He said I have been coming for two years. He said I invite everybody to my home so I can warn you what is going on. Mr. Williams said Deputy David Houston delivered a subpoena to Mike Decker. He said a second subpoena was served by Bobby Cook to Bill Stillwell in Jackson County. He said Mr. Decker said he did not receive the subpoena so I want to give him a copy of it.

### **Departmental reports**

Town Planner Rebecca Crawford gave a report. A copy is attached. She reported that January was busy with a total of forty-six walk-in visits or phone calls. She said I have assisted with collecting data about Sexually Oriented Business regulations. Ms. Crawford said the Planning Board will be having regular monthly meetings on the 3<sup>rd</sup> Tuesday of the month at 12 noon. She said I submitted the LEG-UP Quarterly Report.

Fire Chief Pete Haithcock gave the fire department report. A copy of the report is attached. He said the damage to the fire truck is estimated at \$6,952.00. He said two firemen will be attending the Fontana Fire School on February 18 - 19, 2005. Chief Haithcock said I have attached a 2004 year report on the fire department calls for service.

## **February 7, 2005 meeting continued,**

Public Works Director Jay Gibson reported the following: (1) the Macon Middle School sewer line was started on January 19, 2005, (2) the town crew has been putting up the banners for the 150<sup>th</sup> celebration and (3) some manhole inspections have been done and the smoke tests will be started next month. He said I need the Board's input on what we should do about replacing the trash cans on Main Street. He said the material and labor to repair the current cans will be expensive. He said you may want to buy some new cans. Mayor Collins told Mr. Gibson to get with the Streets of Franklin concerning this matter.

Police Chief Terry Bradley gave the police department report. A copy is attached. He said beginning this month each officer will be required to have twenty-four hours of in-service training.

### **Capital projects status report – Jeff Bishop, McGill Associates**

Jeff Bishop said we have done a capital projects status report for the Town. A copy is attached. Mayor Collins said are we on track on the Little Tennessee River/Cartoogechaye Creek Trunk Sewer Line? Mr. Bishop said we are working with the state legislature to get this project permitted. Beverly Mason said there are several interested persons at the meeting wanting to get water and sewer to Dowdle Mountain Road. Mr. Bishop said the cost to put sewer across the river at Southern Concrete is \$140,000.00 and directly to Dowdle Mountain is \$70,000.00. Mrs. Mason said I would like to talk to the property owners in this area to see if they would be willing to contribute to this project. Alderman Curtis and Alderman Mashburn agreed to get with Beverly Mason to talk with the other property owners.

### **Consideration of change order on Baird Cove sewer project**

Mike Decker said Tugaloo Pipeline has requested a change order on the Baird Cove sewer line project. He said due to the additional work requested by the Town, the project came in \$19,607.90 over the original contract price of \$265,520.65. He said the contractor has also requested an additional twenty days to do the additional work. Mr. Decker said Roy Alexander with McGill Associates has recommended that the Town approve the change order. A copy of the letter is attached. **Motion was made by Curtis, seconded by Hall to approve the change order to Tugaloo Pipeline for the \$19,607.90 increase and the addition of twenty days to the original contract. Motion carried. Vote: 6 to 0.**

### **Presentation of proposed Neighborhood Mixed Use District – Rebecca Crawford**

Rebecca Crawford said the Planning Board's recommendation is to use the Georgia Road/Porter Street corridor as the Town's first Neighborhood Mixed Use District. She said they are planning to use the lot lines to set the boundary of the district. A copy of the map of the proposed area is attached. A list of the affected property owners is attached. **Motion was made by Williamson, seconded by Roper to set the public hearing on this zoning district for March 21, 2005 at 7:00 P.M. Motion carried. Vote: 6 to 0.**

February 7, 2005 meeting continued,

**Presentation of draft ordinance regarding sexually oriented businesses**

Mike Decker said the committee met and used Farmville's ordinance as a guide for our proposed ordinance. He said after reviewing the proposed ordinance, restrictions of hours of operation will need to be included. He said if we adopt the ordinance under zoning we can also regulate the ETJ area. Mr. Decker said if we use the general police power we can only enforce the ordinance inside the town limits. He said the moratorium will expire in early April. Alderman Scott the \$1,000.00 cost for a privilege license may be too high. The committee agreed to meet again before the March meeting. A copy of the proposed ordinance is attached.

**Update on Sesquicentennial events**

Mike Decker said we will have to have a called meeting on February 10, 2005 to pass the proclamation for the Sesquicentennial Celebration. He said I would suggest we close town hall from 12 noon to 3 P.M. so that the town employees can attend the celebration. **Motion was made by Scott, seconded by Roper to close town hall from 12 noon to 3 P.M. on Thursday, February 10, 2005 so the town employees can attend the Sesquicentennial Celebration. Motion carried. Vote: 6 to 0.**

**Beard proclamation – Mayor Collins**

**Motion was made by Scott, seconded by Curtis to adopt the *Beard Proclamation* this the 7<sup>th</sup> day of February 2005. Motion carried. Vote: 6 to 0. A copy of the proclamation is attached.**

**Recess**

Mayor Collins recessed the meeting at 8:00 P.M.

Mayor Collins called the meeting back to order at 8:10 P.M.

**Consideration of Monday, February 28, 2005 for a joint meeting with the Macon County Board of Commissioners**

Mike Decker said Monday, February 28, 2005 at 6:30 P.M. is the date set for our joint meeting with the Macon County Board of Commissioners. He said I am still working on the location for the meeting.

February 7, 2005 meeting continued,

**Consideration of Wayah Insurance Group as the Town's exclusive agent/broker for the group medical insurance policy**

Mayor Collins said Mike Norris with Wayah Insurance approached me about serving as the Town's agent for our medical insurance. He said they are the only agency locally that can do this proposal. He said they will offer all their services. He said it would not raise our rates. Mayor Collins said Mr. Norris called the last day of January wanting a letter. He said Mike Decker wrote a letter on January 31, 2005 stating Wayah Insurance was the Town's agent subject to the Board's approval. Mike Decker said at this time Janet Anderson and I deal directly with a Blue Cross representative. Janet Anderson said if we go with an agent we will be unable to deal directly in the future. Alderman Mashburn said if there is no reduction of our rates why do it? Alderman Scott said we need to put this out to bids to other agencies. Alderman Curtis said I see no advantage to the Town. **Motion was made by Curtis, seconded by Roper to leave the group insurance the way it is now. Motion carried. Vote: 6 to 0.**

**Consideration of proposed policy regarding payment of water/sewer tap and availability fees**

Mike Decker explained the proposed policy changes. A copy is attached. He said the county building inspections office has agreed to enforce this policy. **Motion was made by Curtis, seconded by Mashburn to adopt the Water/Sewer Tap and Availability Fee Policy with an effective date of May 1, 2005. Motion carried. Vote: 6 to 0.**

**Additional departmental and committee reports**

Alderman Curtis said Macon County has paid for one 1-inch water tap for Ron Slagle. He said the difference in the 1-inch tap and a 2-inch tap is \$1,780.00. He said when Mr. Slagle brings in an application, a drawing and the check for \$1,780.00 we will do the 2-inch tap.

Alderman Roper said there is a sign on Carolina Mountain Street blocking the view of the traffic.

Alderman Scott said I recently attended a watershed meeting. He said Warren Cabe indicated at the meeting that the flooding is not worse but there are more buildings being put in the floodplain area.

Alderman Scott said please remember the Renewing Franklin Summit on February 13, 2005 at 2 P.M.

Janet Anderson reported to the Board on the budget through December 31, 2005. A copy of the report is attached.

**February 7, 2005 meeting continued,**

Mike Decker said Don Harris is requesting he be allowed to put a billboard on his property on the Georgia Road. He said Mr. Harris has indicated that he began working on this project before our sign ordinance was adopted. Mr. Decker said Mr. Harris wants this billboard to be grandfathered in. Alderman Scott said he did not come to the public hearing. The Board said the billboard would not be grandfathered in.

Mayor Collins said we need to consider hiring an engineer to our staff. He said we have a lot of capital projects coming up in the near future. He said we would still need the services of McGill Associates.

**Water adjustments, tax discoveries, tax releases and payment of the bills**

**Water adjustments for December, tax discoveries, tax releases and payment of the bills were approved on motion made by Scott, seconded by Williamson. Motion carried. Vote: 6 to 0. Copies are attached.**

**Closed session**

**The Board went into closed session at 8:47 P.M., on motion made by Curtis, seconded by Hall to discuss property acquisition, attorney/client consultation and pending litigation. Motion carried. Vote: 6 to 0.**

**The Board came out of closed session at 9:34 P.M. and sealed the closed session minutes, on motion made by Scott, seconded by Curtis. Motion carried. Vote: 6 to 0.**

**Open session**

**Motion was made by Curtis, seconded by Roper to offer Mrs. Susie Prince \$25,000.00 for a 105 feet by 105 feet portion of her property with the understanding the Town will be allowed to dump dirt on her property. Motion carried. Vote: 6 to 0.**

**Motion was made by Scott, seconded by Mashburn to allow Alderman Curtis and Alderman Williamson to deal with the Duke intervention as necessary and to report back to the whole board for any necessary decisions. Motion carried. Vote: 6 to 0.**

Alderman Curtis said we need to make some decisions on the Whitmire property. Mayor Collins said we do not have enough information at this time. Alderman Curtis said we can set up a work session. Mayor Collins said the committee will deal with getting an architect and providing some ideas.

**February 7, 2005 meeting continued,**

**Adjournment**

Mayor Collins adjourned the meeting at 9:41 P.M.

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Joe Collins, Mayor

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Janet A. Anderson, Town Clerk