

Town of Franklin Board of Aldermen

Agenda

February 4, 2013

7:00 p.m.

1. Call to order -Mayor Collins
2. Approval of the January 7, 2013 board minutes.
3. Public hearing 7:05 p.m. on the re-zoning petition for 142 Harrison Avenue
4. Public session
5. Committee reports
 - A.) Streets committee recommendation on the re-naming of highway N.C. 28 North and N.C. 28 business- Aldermen Joyce Handley and Aldermen Sissy Pattillo
6. New business
 - A.) Town Board decision on re-zoning petition for 142 Harrison Avenue
 - B.) Angel Medical Center Project- Don Capaforte and Bonnie Peggs
 - C.) Re-zoning petition for section of Pauline Avenue- Land Use Administrator Derek Roland
 - D.) Town of Franklin Employee Education Policy- Human Resource Officer Ashley Hyder and Town Attorney John Henning Jr
 - E.) Guidelines for Festivals and Events- Warren Cabe
 - F.) Police Department Software Upgrade- Warren Cabe and Police Chief David Adams
7. Legal
 - A.) Interlocal agreement between the Town of Franklin and Macon County- John Henning Jr
 - B.) Town Board consideration on tax refund for Cynthia Cheek- John Henning Jr
 - C.) Revisions to the Town of Franklin Sewer Use Ordinance- John Henning Jr
8. Adjourn

February 4, 2013

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, February 4, 2013 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Joyce Handley, Farrell Jamison, Billy Mashburn, Carolyn Pattillo and Bob Scott were present.

Approval of the Minutes

Motion was made by Handley, seconded by Curtis to approve the minutes for the January 7, 2013 meeting as presented. Motion carried. Vote: 6 to 0.

Public Session

Doug Morton – The Taste of Scotland is coming together. We are receiving donations. We are receiving responses from the vendors. I am involved in the 2013 Downtown Merchants Events. We need to know the guidelines for these events.

Public Hearing – Rezoning Petition for 142 Harrison Avenue

Mayor Collins opened the public hearing at 7:05 P.M. on the Todd and April Duvall rezoning request located at 142 Harrison Avenue.

Derek Roland – Land Use Administrator – Todd and April Duvall is requesting that their property located at 142 Harrison Avenue be rezoned from Residential (R-1) to Central Commercial (C-1). The property is bordered to the east, west and south by commercially zoned property. To the North, the property is bordered by residentially zoned property. The access to the property is on Harrison Avenue. The Planning Board is recommending that the property be rezoned from Residential (R-1) to Central Commercial (C-1) as requested.

No other persons spoke at the public hearing.

Mayor Collins closed the public hearing at 7:07 P.M.

New Business - Rezoning Petition from Todd and April Duvall

Motion was made by Pattillo, seconded by Jamison to rezone the Todd and April Duvall property located at 142 Harrison Avenue from Residential (R-1) to Central Commercial (C-1) and to adopt the Zoning Consistency Statement. Motion carried. Vote: 6 to 0. A copy of the statement is attached.

February 4, 2013 meeting continued,

Public Session Continued

Martha Holbrook – The downtown merchants are planning to do events on the following dates in 2013: June 28, July 26, August 23, September 27 and October 25. We would like an open discussion on the event guidelines. We will be doing a Valentine giveaway in February.

Don Capaforte and Bonnie Peggs – Angel Medical Center – We are asking the Town to give us Town's property for a memorial garden. This property is located next to Angel Medical Center property.

Mayor Collins – We cannot donate property. We may be able to lease you this piece of property.

Committee Reports – Street Committee Recommendation

Derek Roland – Land Use Administrator – Wesley Grindstaff with the North Carolina Department of Transportation wants our input on the naming of the section of NC 28 North from Bryant-Grant Funeral Home to the Village Trader. It is currently Harrison Avenue. Our two options are as follows: (1) to reclassify this portion as NC 28 Business or (2) to reclassify this section as a secondary route with Macon County holding the naming rights to the roadway and remaining Harrison Avenue.

Motion was made by Handley, seconded by Pattillo to recommend Option #2 and allow this section to remain Harrison Avenue. Motion carried. Vote: 6 to 0.

New Business - Angel Medical Center Project

Mayor Collins said the Angel Medical Center wants us to donate property to do a memorial garden. Alderman Jamison said how close to the parking lot is this property? Mayor Collins said we would need to look at the property line. Alderman Scott said we want need to look at the property lines before leasing the property. Mayor Collins said there will be no decision tonight. He said that the hospital would need to do a survey of the property that they are wanting donated. Don Capaforte said we can do a survey. John Henning, Jr. said the maximum lease would be for ten years.

New Business – Rezoning Petition for Section of Pauline Avenue

Motion was made by Curtis, seconded by Jamsion to send this rezoning petition to the Planning Board for a recommendation. Motion carried. Vote: 6 to 0.

New Business – Town of Franklin Employee Education Policy

Motion was made by Jamison, seconded by Pattillo to approve the Town of Franklin Employee Education Policy as submitted. Motion carried. Vote: 6 to 0. A copy is attached.

February 4, 2013 meeting continued,

New Business – Guidelines for Festivals and Events

Warren Cabe – The committee has met several times. We have a two page application at this time. This is a good starting point. The North Carolina Department of Transportation requires liability insurance in the amount of \$1,000,000.00 if any roads are closed. This application addresses current Town policies. If and when the Board wants to change their policies or ordinances we may need to change the application. Copies are attached.

New Business – Police Department Software Upgrade

Warren Cabe – The police department needs a software upgrade to be in compliance with the Criminal Justice System by October 1, 2013. It will in the best interest of the Town to join with Macon County for this system. The police department does not have this money in their current operating budget. The Board would need to amend the budget with an appropriation of the general fund balance in the amount of \$27,297.23. Copies of the quotes are attached.

Motion was made by Scott, seconded by Handley to do an appropriation of the general fund balance to cover the \$27,297.23 amendment to the police department budget. Motion carried. Vote: 6 to 0.

Legal – Interlocal Agreement between the Town of Franklin and Macon County

Motion was made by Scott, seconded by Curtis to approve the interlocal agreement with the Town of Franklin and Macon County for the software upgrades and giving authority to John Henning, Jr., Warren Cabe and David Adams for any minor changes to the agreement. Motion carried. Vote: 6 to 0. A copy of the agreement is attached.

Legal – Consideration of Tax Refund for Cynthia Cheek

John Henning, Jr. – There are no grounds for a legal refund of these taxes to Cynthia Cheek. It has been over six months since payment. Information copies are attached.

Motion was made by Curtis, seconded by Jamison to deny the refund of taxes to Cynthia Cheek because of being legally unable. Motion carried. Vote: 6 to 0.

Legal – Revisions to the Town of Franklin Sewer Use Ordinance

John Henning, Jr. – There has been minor revisions to the Town of Franklin Sewer Use Ordinance.

Motion was made by Curtis, seconded by Handley to adopt the Town of Franklin Sewer Use Ordinance with the proposed revisions. Motion carried. Vote: 6 to 0. A copy of the ordinance is attached.

February 4, 2013 meeting continued,

Other Business

Departmental reports are attached.

Adjournment

**Motion was made by Handley, seconded by Jamison to adjourn the meeting at 8:15 P.M.
Motion carried. Vote: 6 to 0.**

Joe Collins, Mayor

Janet A. Anderson, Town Clerk