

Town of Franklin Board of Aldermen

Agenda

Tuesday, July 6, 2010

7 p.m.

1. Call to order – Mayor Collins
2. Approval of the June 7, 2010 minutes
3. (A) 7:05 p.m. Public hearing on the voluntary annexation petition for Scenic Ridge Properties, LLC
(B) Consideration of Scenic Ridge Properties, LLC petition
4. (A) 7:10 p.m. Public hearing on the voluntary annexation petition for G&V Development
(B) Consideration of G&V Development petition
5. (A) 7:15 p.m. Public hearing on the voluntary annexation petition from Joseph G. Moretti
(B) Consideration of the Moretti petition
6. (A) 7:20 p.m. Public hearing on the voluntary annexation petition for Nellie Ruth Owens Sanders
(B) Consideration of the Sanders petition
7. Public session
8. Schedule public hearing on the Bright-Meyers 2001 LLC (Wal-Mart) special use application
9. Reconsideration of appointment to nonprofit corporation to oversee the Orchard View housing project
10. Consideration of continuing the meeting until Monday, July 19, 2010 at 5:30 p.m. to hear presentations on development proposals for town property

NOTE: The Town of Franklin Board of Aldermen will host a joint meeting with the Macon County Board of Commissioners and the Town of Highlands Board of Commissioners on Thursday, July 15, 2010 at 6 p.m. at Mill Creek Country Club.

July 6, 2010

The regular meeting of the Town of Franklin Board of Aldermen was held on Tuesday, July 6, 2010 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Jerry Evans, Joyce Handley, Billy Mashburn, Carolyn Pattillo and Bob Scott were present.

Approval of the minutes

Motion was made by Handley, seconded by Evans to approve the minutes for the June 7, 2010 meeting as presented. Motion carried. Vote: 6 to 0.

Public session

Dan Williams – The volunteers after nine eleven have been sick. They are getting help. BP is trying to clean up their mess. The Town did me wrong several years ago. You will not talk to me about it. You do not know the facts. Mayor Collins said there is no new ground on this issue.

Public hearing on the voluntary annexation petition for Scenic Ridge Properties, LLC

Mayor Collins opened the public hearing on the voluntary annexation petition for Scenic Ridge Properties, LLC at 7:05 P.M. Orville Coward, Jr. said this property will have single family homes. He said it is located on the Highlands Road. Mayor Collins closed the public hearing at 7:07 P.M.

Motion was made by Handley, seconded by Evans to annex Scenic Ridge Properties, LLC with inside water/sewer rates. Motion carried. Vote: 6 to 0. Copies are attached.

Schedule public hearing on the Bright-Meyers 2001 LLC (Wal-Mart) special use application

Motion was made by Evans, seconded by Curtis to schedule the public hearing on the Bright-Meyers 2001 LLC (Wal-Mart) special use application for Monday, August 2, 2010 at 7:05 P.M. Motion carried. Vote: 6 to 0.

Public hearing on the voluntary annexation petition for G&V Development

Mayor Collins opened the public hearing on the voluntary annexation petition for G&V Development at 7:10 P.M. Orville Coward, Jr. said this site is in the ETJ. Mayor Collins closed the public hearing at 7:12 P.M.

Motion was made by Mashburn, seconded by Evans to annex G&V Development with inside water/sewer rates. Motion carried. Vote: 6 to 0. Copies are attached.

July 6, 2010 meeting continued,

Public hearing on the voluntary annexation petition from Joseph G Moretti

Mayor Collins opened the public hearing on the voluntary annexation petition for Joseph G. Moretti at 7:15 P.M. Ken Fromknecht said Mr. Moretti already has an allocation for water and sewer. He said we do not know who the tenants will be. Tom Ritter said there will be five buildings. He said there will be different shops with one restaurant. He said we will be following the UDO requirements. He said Mr. Moretti does not plan to sell the property. Mayor Collins closed the public hearing at 7:19 P.M.

Motion was made by Mashburn, seconded by Curtis to annex the Joseph G. Moretti property with outside water/sewer rates and on the condition no private clubs will be allowed. Motion carried. Vote: 6 to 0. Copies are attached.

Public hearing on the voluntary annexation petition for Nellie Ruth Owens Sanders

Mayor Collins opened the public hearing on the voluntary annexation petition for Nellie Ruth Owens Sanders at 7:20 P.M. Richie Jones said this property is on the Highlands Road. He said it is 1,300 feet from the town limits. He said the restaurant will have alcohol. Mayor Collins closed the public hearing at 7:23 P.M.

Motion was made by Pattillo, seconded by Evans to annex the Nellie Ruth Owens Sanders property with outside water/sewer rates and on the condition no private clubs will be allowed. Motion carried. Vote: 6 to 0. Copies are attached.

Reconsideration of appointment to nonprofit corporation to oversee the Orchard View housing project

Mike Decker said the appointment has to be a board member that has not served on the Macon Program for Progress board currently or in the past. He said Alderman Handley is presently serving and Alderman Curtis and Alderman Evans have served in the past.

Motion was made by Pattillo, seconded by Mashburn to appoint Mayor Collins to the nonprofit corporation to oversee the Orchard View housing project instead of Alderman Handley. Motion carried. Vote: 6 to 0.

Other business

Departmental reports are attached.

July 6, 2010 meeting continued,

Mayor Collins said the traffic lights need to be put on blinking during the evening hours. He said we will need to ask for Police Chief Bradley's guidance. Alderman Curtis said we will need the North Carolina Department of Transportation's permission. Sam Greenwood said the traffic lights are owned by the North Carolina Department of Transportation. He said I will talk to Police Chief Bradley.

John Henning, Jr. said Duke Energy has indicated during their relicensing process that Lake Emory is not producing electricity. He said I need direction from the Board on whether to explore this matter further. He said they are doing some dredging in Lake Emory. Mr. Henning said Dillsboro has been decided. He said we can ask for a public hearing on Lake Emory.

Motion was made by Handley, seconded by Pattillo to instruct John Henning, Jr. to investigate further into this matter. Motion carried. Vote: 6 to 0.

Alderman Pattillo said we need to do PR with our citizens. Sam Greenwood said we can post the newsletter on the web site. Mayor Collins said we could put an insert in the newspaper. Alderman Scott said the media does a good job on reporting the news. Alderman Pattillo said we need to do a monthly newsletter. Mike Decker said the cost is around \$3000.00. Alderman Scott said we could produce it in house and put it in the newspaper. The Board did not reach a decision on this issue.

Alderman Handley said there are speeding problems on Depot Street.

Continuation of meeting

At 7:47 P.M., motion was made by Evans, seconded by Pattillo to continue the July 6, 2010 meeting until Monday, July 19, 2010 at 5:30 P.M. Motion carried. Vote: 6 to 0.

Call to order of the July 6, 2010 continuation meeting

The regular July 6, 2010 meeting of the Town of Franklin Board of Aldermen was continued at 5:30 P.M., Monday, July 19, 2010 in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Jerry Evans, Joyce Handley, Billy Mashburn, Carolyn Pattillo and Bob Scott were present. Alderman Verlin Curtis was absent.

Board member absence

Motion was made by Pattillo, seconded by Evans to excuse Alderman Verlin Curtis from the meeting because of a planned vacation. Motion carried. Vote: 5 to 0.

July 6, 2010 meeting continued,

Presentation by Edwin (Terry) Terrel Meek, AIA, regarding design services for a development proposal for town property

Edwin (Terry) Terrel Meek said my plan has three sections. He said they are as follows: (1) retrieval of information, (2) actual plan and (3) the completion of the drawings and a physical model. He said I have over thirty-five years of experience. He said I have completed projects in Andrews and Mars Hill. Mayor Collins asked what excites you about this project? Mr. Meek said it is close to downtown and we will be setting the bar for future growth. Alderman Pattillo said what are you doing in Andrews? Mr. Meek said it is an initiative to cause growth in the downtown area. Mayor Collins said what input will we have? Mr. Meek said it will be up to you how involved you want to be. Informational copies are attached.

Consideration of request for non-profit funding from REACH of Macon County

Ann Van Harlingen said it is critical for non-profit organizations to get support from local sources. She said the cost of providing shelter for one night is \$50.00. She said we have been full every night at the house. She said we need an in kind match from the community. A copy of the request is attached.

Motion was made by Handley, seconded by Pattillo to give \$4,000.00 out of the non-profit funds to REACH of Macon County to be used for shelter costs with John Henning, Jr. drawing up the necessary contract. Motion carried. Vote: 5 to 0.

Consideration of Resolution Opposing Federally Mandated Collective Bargaining

Sam Greenwood said the United States House of Representatives passed the Public Safety Employer-Employee Cooperation Act on July 1, 2010. He said this would require state and local governments to allow collective bargaining with public safety employees. He said North Carolina is a right to work state. Alderman Scott said the vote on this legislation was along party lines.

Motion was made by Handley, seconded by Evans to approve the resolution opposing federally mandated collective bargaining and to forward the resolution to the state's United States Senators. Motion carried. Vote: 4 to 1. Voting yes: Evans, Handley, Mashburn and Pattillo. Voting no: Scott. A copy of the resolution is attached.

Recess

Mayor Collins recessed the meeting at 6:10 P.M.

Mayor Collins reconvened the meeting at 6:20 P.M.

June 6, 2010 meeting continued,

Presentation by Bill Allison of Allison Ramsey Architects regarding design services for a development proposal for town property

Bill Allison said our firm has seven full time employees. He said we have done designs for Southern Living magazine. He said I did the Sanctuary project for Tim Ryan. He did a power point presentation for the Board. He said the property may be a residential project instead of commercial use. Informational copies are attached.

Items from the town attorney

John Henning, Jr. said we need to opt out of certain provisions of the Permit Act of 2009. Informational copies are attached.

Motion was made by Scott, seconded by Handley to approve the resolution for the Town of Franklin to Opt Out of Certain Provisions of the Permit Extension Act of 2009. Motion carried. Vote: 5 to 0.

John Henning, Jr. said Duke Energy is not generating electricity at Lake Emory. He said I will be emailing you more information on this situation.

John Henning, Jr. said there are some outstanding easements on the Crawford Branch Sewer project. He said we may need to do some inverse condemnation of these easements so that the project will not be delayed. He said we will pay the value of the property later.

Motion was made by Mashburn, seconded by Evans to instruct Town Manager Sam Greenwood and Town Attorney John Henning, Jr. to do inverse condemnation if necessary on the easements for the Crawford Branch Sewer project. Motion carried. Vote: 5 to 0.

John Henning, Jr. said we will be having a public hearing at the August 2, 2010 meeting on the Wal-Mart request for a special use permit. He said this is a quasi-judicial hearing. He said the Board will need to base their decision on the evidence given at the hearing. Mr. Henning said the Board cannot discuss this request before hand with citizens.

Adjournment

Motion was made by Pattillo, seconded by Handley to adjourn the meeting at 7:15 P.M. Motion carried. Vote: 5 to 0.

Joe Collins, Mayor

Janet A. Anderson, Town Clerk

