

Town of Franklin Board of Aldermen

Agenda

May 6, 2013

7:00 p.m.

1. Call to order- Mayor Collins
2. Approval of the April 1, April 13 and April 23, 2013 board minutes
3. Public session

4. New business
 - A.) Presentation of the proposed fiscal year 2013-2014 budget- Town Manager Warren Cabe
 - B.) Set budget work session for Tuesday May 14, 2013 at 5:30 p.m.
 - C.) Set public hearing for the fiscal year 2013-2014 budget for Monday June 3, 2013 at 7:05 p.m.
 - D.) Budget amendment- Finance Officer Janet Anderson and Police Chief David Adams
 - E.) Street closing request for Taste of Scotland- Main Street Executive Director Linda Schlott
 - F.) Appointment of Leland Riske to fill vacancy on Tourism Development Authority- Assistant to the Town Manager Summer Woodard
 - G.) Appointment of Josh Drake to fill vacancy on Tourism Development Authority- Assistant to the Town Manager Summer Woodard
 - H.) Discussion on electronic public notice bill- Aldermen Bob Scott
 - I.) Discussion on blanket liability insurance policy for festivals and events- Town Manager Warren Cabe
 - J.) Discussion on banners

5. Legal
 - A.) Discharge of firearms ordinance-Town attorney John Henning Jr
 - B.) Solicitor's ordinance- John Henning Jr
 - C.) Western North Carolina Hospice House- John Henning Jr
 - D.) Proposed Unified Development Ordinance concerning internet gaming devices- John Henning Jr
 - E.) Update on Angel Medical Center lease- John Henning Jr

6. Adjourn

May 6, 2013

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, May 6, 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.

Addition to the Agenda

Motion was made by Pattillo, seconded by Handley to add the following item to the agenda: The Arts Council of Macon County's request for a street closing. Motion carried. Vote: 6 to 0.

Approval of the Minutes

Motion was made by Curtis, seconded by Pattillo to approve the minutes for the April 1, 2013, April 13, 2013, and the April 23, 2013 meetings as presented. Motion carried. Vote: 6 to 0.

Public Session

Bryant Parker – I own property inside town. I have rental trailers. My trailer located on Gaston Street burnt down. I cannot put a trailer back on the property due to the zoning of the property. I am trying to get the property rezoned.

Jimmy Hermanson – I am the treasurer of the Community Care Clinic. We are a non-profit at this time. This clinic is needed for persons with no health insurance. Eighty percent of our patients are working. We are treating chronic diseases. The budget for this year is \$137,000.00. We are requesting that you put a line item in your budget for the clinic.

Janet Curtis – I am here on behalf of my father, Clyde Kinsland. He owns the property at the foot of town hill. We have a zoning problem since the business license lapsed on the repair shop at this location. We need a workable solution to this problem. The property is for sale. However, we need the rental income until the property sells. We are asking for your help. Mayor Collins said we will be looking at rezoning several properties.

Dr. Lucy Meadows Smarr - My property at 33 Green Street is going down in value. There are a lot of drugs in the area. The church is doing a homeless shelter inside the church. I have talked to the police chief. We do not need a homeless shelter on Green Street. There needs to be regulations and control.

Dan Williams – I beg you to do your job. I have been asking for ten years for you to clean up Dogwood Drive.

May 6, 2013 meeting continued,

Presentation of the Proposed Fiscal Year 2013-2014 Budget

Town Manager Warren Cabe gave the following budget message for the Fiscal Year 2013-2014 budget: (1) the financial condition, (2) debt service, (3) personnel, (4) operating capital outlay, (5) special projects, (6) by department and (7) water/sewer rates. A detailed budget message, proposed fiscal year 2013-2014 budget, water/sewer rate comparison and dumping fees rates are attached.

New Business – Set Budget Work Session

Motion was made by Pattillo, seconded by Mashburn to set the budget work session for Tuesday, May 14, 2013 at 5:30 P.M. in the town hall board room. Motion carried. Vote: 6 to 0.

New Business – Set Public Hearing

Motion was made by Curtis, seconded by Jamison to set the public hearing for the fiscal year 2013-2014 budget for Monday, June 3, 2013 at 7:05 P.M. in the town hall board room. Motion carried. Vote: 6 to 0.

New Business – Budget Amendment

Police Chief David Adams - I am requesting the purchase of 8 Bushmaster Rifles for a total of \$3,280.00. The purchase can be paid from the State Unauthorized Substances Tax Collections Fund. Informational copies are attached.

Janet Anderson – Finance Officer – There is enough money to purchase the rifles. However, the budget will have to be amended to cover this purchase.

Motion was made by Jamison, seconded by Mashburn to amend the police department budget to purchase the rifles in the amount of \$3,280.00 as was requested. Motion carried. Vote: 6 to 0.

New Business – Street Closing Request for Taste of Scotland

Motion was made by Pattillo, seconded by Handley to close Iotla Street and Phillips Street on Friday, June 14, 2013 at 5:30 P.M. through Saturday, June 15, 2013 until 9:00 P.M. for the Taste of Scotland. Motion carried. Vote: 6 to 0.

May 6, 2013 meeting continued,

New Business – Street Closing for The Arts Council of Macon County

Motion was made by Jamison, seconded by Pattillo to close Iotla Street and Phillips Street on Friday, May 31, 2013 from 7:00 P.M. until 10:00 P.M for a free dance festival given by The Arts Council of Macon County. Motion carried. Vote: 6 to 0.

New Business – Appointment of Leland Rykse to Tourism Development Board

Motion was made by Handley, seconded by Pattillo to appoint Leland Rykse to fill a tourist related business vacancy on the Tourism Development Authority Board for a two year term. Motion carried. Vote: 6 to 0.

New Business – Appointment of Josh Drake to Tourism Development Authority

Motion was made by Jamison, seconded by Curtis to appoint Josh Drake to fill a tourist related business vacancy on the Tourism Development Authority Board for a two year term. Motion carried. Vote: 6 to 0.

New Business – Discussion on Electronic Public Notice Bill

Alderman Scott said the General Assembly is trying to pass a bill to do electronic public notices. He said I am against this bill.

Motion was made by Scott, seconded by Handley to send a message of disapproval for the electronic public notice bill to the General Assembly. Motion carried. Vote: 4 to 2. Voting yes: Curtis, Handley, Jamison and Scott. Voting no: Mashburn and Pattillo.

New Business – Discussion of Blanket Liability Insurance Policy for Festivals and Events

Warren Cabe – Town Manager – The Town already has a liability insurance policy. If the organizers are using TDA funds there is a rule already in place that there will be liability insurance policy for the event or festival.

Mayor Collins – We may need to do a waiver for the small events. We may need to explore having no liability insurance for some events.

New Business – Discussion on Banners

Alderman Scott - The business owners want to put banners across Main Street for their events.

Alderman Jamison - I am not against banners. I am concerned about the safety of the banners across Main Street. We could provide another location for the banners.

May 6, 2013 meeting continued,

New Business – Discussion on Banners Continued

Warren Cabe – Town Manager – You have three options with banners. The options are: (1) leave the ordinance like it is now, (2) let the staff handle the banner requests in the future or (3) have no banners at all. The town hall yard could be used to put up banners on two permanent poles.

John Henning, Jr. – Town Attorney – You would need to be careful about the messages that you allow.

Mayor Collins – Why not allow banners across the street?

Alderman Curtis – Traffic safety is an issue with reading the banners coming up the hill and also they could come down on a vehicle.

Alderman Mashburn – We could wait on the staff for a recommendation.

Motion was made by Curtis, seconded by Handley to change the current ordinance to ban banners across streets. Motion carried. Vote: 5 to 1. Voting yes: Curtis, Handley, Jamison, Mashburn and Pattillo. Voting no: Scott.

Legal – Western North Carolina Hospice House

John Henning, Jr. – Town Attorney - Family care homes are allowed in a residential zone. We will not have to have a special use hearing.

Legal – Discharge of Firearms Ordinance

John Henning, Jr. – Town Attorney – I had Derek Roland do a map showing where inside firearms range would be allowed inside town in the C-2 zone if the new provisions are added to the ordinance. According to the map a large area of town would be affected. A copy of the map is attached.

Motion was made by Mashburn, seconded by Jamison to table the decision on the Discharge of Firearms Ordinance. Motion carried. Vote: 6 to 0.

Legal – Solicitor's Ordinance

John Henning, Jr. – Town Attorney – You already have an ordinance banning persons on the travel lanes of the streets. State law requires two million dollars in liability insurance for solicitors.

Motion was made by Jamison, seconded by Pattillo to table a decision on a Solicitor's Ordinance. Motion carried. Vote: 6 to 0.

May 6, 2013 meeting continued,

Legal – Proposed Unified Development Ordinance Concerning Internet Gaming Devices

Motion was made by Mashburn, seconded by Jamison to pass on the proposed zoning amendment on the internet gaming devices to the Planning Board for a recommendation. Motion carried. Vote: 6 to 0.

Legal – Update on Angel Medical Center Lease

Motion was made by Handley, seconded by Pattillo to approve the lease with Angel Medical Center to lease 0.16 acre parcel for ten years. Motion carried. Vote: 6 to 0. A copy of the lease is attached.

Announcements

Warren Cabe – Town Manager – The Airing of the Quilts will be held on May 11, 2013.

Other Business

Departmental reports are attached.

Adjournment

Motion was made by Handley, seconded by Jamison to adjourn the meeting at 8:35 P.M. Motion carried. Vote: 6 to 0.

Joe Collins, Mayor

Janet A. Anderson, Town Clerk