

September 8, 2009

The regular meeting of the Town of Franklin Board of Aldermen was held on Tuesday, September 8, 2009 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 August 3, 2009 meeting as presented. Motion carried. Vote: 6 to 0.

Public session

Howell Derrick – In the fall election don't dwell on the past. Tell us what you plan to do for the town and its people. You need to have a meeting at Sam's place where the candidates answer questions from the audience. Mr. Greenwood could be the moderator.

Rebecca Carson – I would like Anderson Avenue to remain as it is now. Information copy is attached.

Request from non-profit funding – Macon County Historical Society

Steve Rice said we are asking for \$5,000.00 for the Macon County Historical Society. Beverly Moore said I am currently serving as President of the Macon County Historical Society. She said we have books for sale and we are doing a membership drive. She said we are preserving the history of Macon County. Information copies are attached.

Motion was made by Evans, seconded by Pattillo to give \$5,000.00 to the Macon County Historical Society out of the non-profit funding. Motion carried. Vote: 6 to 0.

Discussion/consideration of revised funding summary for Little Tennessee River/Cartoogechaye Creek Sewer Line

Sam Greenwood said the bid on the Little Tennessee Rive/Cartoogechaye Creek sewer line is now set at \$5,543,250.00. He said Macon County has committed to finance the entire loan amount of \$2,043,250.00. He said the Town can pay their share in installments to the county. He said the Town's share of the loan would increase from \$471,000.00 to \$543,250.00.

Motion was made by Evans, seconded by Handley to approve raising the Town's share of the loan from \$471,000.00 to \$543,250.00 and to authorize the town manager and the town attorney to work out a memorandum of agreement between the Town and Macon County on the payment schedule of the loan. Motion carried. Vote: 6 to 0.

September 8, 2009 meeting continued,

Discussion/consideration of an ordinance “Adopting Certain Regulations for the Use of the Memorial Park”

John Henning, Jr. said this ordinance is proposed for regulations for the use of the Memorial Park. A copy is attached. Mayor Collins said I don't think Section 2 and Section 3 is necessary. Alderman Scott said there are no penalties in this ordinance. Mr. Henning said this ordinance was modeled after Asheville's ordinance.

Motion was made by Scott, seconded by Curtis to adopt the ordinance Adopting Certain Regulations for the Use of the Memorial Park as written. Motion failed. Vote: 3 to 4. Voting yes: Curtis, Evans and Scott. Voting no: Handley, Mashburn, Pattillo and Collins.

Discussion/consideration of an ordinance “Banning Tobacco Use in Town Buildings and Vehicles” – Town Attorney

Alderman Evans said I am against the ordinance due to principle. Alderman Scott said the penalty of \$200.00 per violation is not consistent. He said a violation was not put in the Memorial Park ordinance.

Motion was made by Pattillo, seconded by Handley to adopt the Ordinance Banning Tobacco Use in Town Buildings and Vehicles with the removal of Section 4. Penalty. Motion carried. Vote: 5 to 1. Voting yes: Curtis, Handley, Mashburn, Pattillo and Scott. Voting no: Evans. A copy of the ordinance is attached.

Discussion/consideration of resolution authorizing the exchange of property with Ricky and Linda Hannah – Town Attorney

John Henning, Jr. said we need a construction easement from the Hannahs so that the police building can be constructed. He said this will clear up easements. Alderman Evans said did we know about these easements before the building was started. Sam Greenwood said we had a verbal agreement with Ricky Hannah.

Motion was made by Evans, seconded by Handley to adopt the resolution authorizing the exchange of property with Ricky and Linda Hannah. Motion carried. Vote: 6 to 0. A copy of the resolution is attached.

September 8, 2009 meeting continued,

Discussion/consideration of a resolution authorizing the Southwestern Commission Regional Planning Organization

Motion was made Curtis, seconded by Mashburn to adopt the Resolution Requesting the North Carolina General Assembly to Exclude the Appalachian Development Highway System Funding from the NCDOT Equity Formula. Motion carried. Vote: 6 to 0. A copy of the resolution is attached.

Consideration of request by Macon County for partial waiver of tap fee for former public library building

Sam Greenwood said County Manager Jack Horton has requested the non-materials and labor part of the tap fee be waived at the former public library building. He said that would be one half of the \$3,300.00 tap fee. Alderman Evans said what does the county do for us?

Motion was made by Evans, seconded by Mashburn to waive \$1,650.00 of the \$3,300.00 tap fee. Motion carried. Vote: 6 to 0.

Consideration of appointment to the Tourism Development Authority

Sam Greenwood said the TDA is recommending Pam Forshee be appointed to their board.

Motion was made by Mashburn, seconded by Evans to appoint Pam Forshee to the Tourism Development Authority. Motion carried. Vote: 6 to 0.

Consideration of letter of support for the Veteran's Memorial Committee

Motion was made by Scott, seconded by Handley to send a letter of support to the North Carolina Department of Transportation that directional signs to be erected for the Veteran's Memorial site. Motion carried. Vote: 6 to 0.

Update from the Nikwasi committee

Mayor Collins said talk about doing a park at the Nikwasi mound started last May. He said I then asked Alderman Curtis and Alderman Handley to serve on this committee with me. He said we are still exploring purchasing the property east of the mound. He said there are environmental issues. Alderman Curtis said the next step will be to get an appraisal of the property.

September 8, 2009 meeting continued,

Other business

Alderman Scott said I would like the Board to give public notice about any board appointments in the future.

Motion was made by Scott, seconded by Evans to advertise all positions on committees in the future. Motion carried. Vote: 4 to 2. Voting yes: Curtis, Evans, Mashburn and Scott. Voting no: Handley and Pattillo.

Alderman Scott said what is the status on the prices of the generator? Sam Greenwood said we are working on getting prices. He said we are going to have double valves so that we can either use natural gas or propane.

Alderman Scott said we need to participate as a board at the Region A meetings.

Department reports are attached.

Adjournment

Mayor Collins adjourned the meeting at 8:12 P.M.

Joe Collins, Mayor

Janet A. Anderson, Town Clerk