

March 6, 2006

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, March 6, 2006 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Jerry Evans, Billy Mashburn, Carolyn Pattillo, Charles Roper and Bob Scott were present.

Approval of the minutes

Motion was made by Curtis, seconded by Evans to approve the minutes for the February 6, 2006 meeting as presented. Motion carried. Vote: 6 to 0.

Persons to be heard

Betsey Gooder asked to be heard under item number fourteen – Plans for town clean up project.

No other persons were present to speak.

Departmental reports

Fire Chief Pete Haithcock gave the fire department report. A copy of the report is attached. He said the twelve firemen would be attending the McDowell Fire College on March 17 – 19, 2006. He said during a fire call we broke the concrete at the end of a private driveway with our fire truck. He said it needs to be fixed. Mayor Collins asked the Fire Committee to get with Fire Chief Haithcock about these repairs.

Public Works Director Jay Gibson said Ray McCall with the state recently inspected our distribution system. He said he will be writing us with his recommendations. He said the radio read meter training will start on Wednesday. He said we need to make some changes to our line extension policy. He said we need to change the minimum size line from six inch to eight inch and add the requirement that the developer will pay for the costs of the plan review. Jeff Bishop with McGill Associates said you may want add wording to the policy that a back flow preventer is required. **Motion was made by Mashburn, seconded by Evans to change the line size from six inch to eight inch and to add that the cost of any plan review will be paid by the developer to the Town's line extension policy. Motion carried. Vote: 6 to 0.**

Police Chief Terry Bradley gave the police department report. A copy of the report is attached.

Town Planner Rebecca Crawford said in February I had a total of seventy-two walk-in visits or phone calls. A copy of the report is attached. She said I have attended various meetings this month. She said Rodney Swink with the North Carolina Main Street Program has indicated that they are waiting until we hire a coordinator before making a decision that we can rejoin the Main Street program.

March 6, 2006 meeting continued,

Update on water service to Crystal Falls Specialty Shops – Dorothy Dinnes

Dorothy Dinnes said the cost of setting five meters is \$6,750.00 and the cost of putting a six inch water line around Terrell Road is \$36,150.00. Alderman Mashburn said we need to see the plans. The Water/Sewer Committee agreed to look at the plans before the next meeting and bring a recommendation to the whole board at that time.

Presentation by Egan & Briggs on Principals of Growth process, land use inventory and zoning code revision

Mike Egan said Roger Briggs and I will be doing the Principles of Growth instead of a land use plan. He said we drove around today and we saw a lot of growth. He said we plan to have a kickoff meeting on March 23, 2006. He said we plan to form a working group and meet bi-weekly with this group. He said the land use inventory will take around two months. Mr. Egan said the Principles of Growth should be finished by July. He said the ordinance update should be completed by late spring of 2007.

Consideration of Memorandum of Agreement with Egan & Briggs

Mike Egan said we changed the Memorandum of Agreement to indicate that in the event the completion of the project will require professional fees in excess of \$40,000.00 that we will notify the Town so we can agree on how to proceed. A copy is attached. Alderman Scott said we voted last month on a fixed cost of \$40,000.00. Mr. Egan said the \$40,000.00 is just an estimate. Alderman Mashburn said we need to stay at \$40,000.00. Mayor Collins said we plan to continue this meeting to March 20, 2006 and we can discuss this matter further at that time.

Presentation of the FY 2004-05 audit – Gwen Edwards – Dixon Hughes

Gwen Edwards said I am a senior manager with Dixon Hughes. She said this is the second year the GASB 34 has been implemented. She said you received the highest opinion possible. Mrs. Edwards said the general fund balance decreased \$1.1 million due to the purchase of the Whitmire property. She said the property tax revenue and the fire tax revenue both increased. She said there were no violations of the budget. She said one of our findings was the lack of segregation of duties due to the small staff size. She said the property tax rate continues to increase.

March 6, 2006 meeting continued,

Update on water and sewer projects – Jeff Bishop – McGill Associates

Jeff Bishop reported on the following projects: (1) West Main Street water line – completed; (2) Macon Middle School sewer line - are working on adding a pump station and a force main and bore in the river, are still holding the contractor responsible for the line breaking over the river; (3) Raw Water Intake at the water treatment plant - accepted bids that came in higher than projected and are trying to cut costs, plans are to do some soil boring and rebid the project; (4) Wilkie Street water tank - waiting on a survey for the easement and (5) Macon County Little Tennessee sewer line - the engineering report has finally been approved by the state and there are some easement issues remaining.

Discussion regarding proposed redevelopment/subdivision – Trent Gustafson – Percival McGuire

Trent Gustafson said my realty firm is working with the owners to subdivide the property where the Country Inn Town motel is presently located at the corner of East Main Street and Lakeside Drive. He said our plans are to subdivide the property into three lots. He said a second McDonald's will be on the corner lot with a bank on one of the lots. Alderman Scott said I have concerns with runoff into the Little Tennessee River since this property is so close. He said you need to use material in the parking lot that absorbs the water. Rebecca Crawford said there is no approval required at this time. Copies are attached.

Consideration of multi-family development – Eastside Ridge Villas

George Hazatone said our plans are to build sixty-five units on 9.21 acres of property behind the Days Inn on East Main Street. He said there will be eleven buildings with six to eight units per building. He said we are using McGill Associates as our engineers. Mayor Collins said since Jeff Bishop is here is there a problem with conflict of interest for your firm doing this project? Jeff Bishop said I don't believe there will be a problem with this project. Alderman Scott said I have discussed with Mr. Bishop about his firm representing both parties. He said I have a strong concern about it. Alderman Mashburn said I appreciate Mr. Bishop's openness to talk about it. He said if it becomes a problem we can talk about it at that time. **Motion was made by Mashburn, seconded by Evans to give preliminary approval of the plans with Rebecca Crawford's recommended changes. Motion carried. Vote: 6 to 0. Copies are attached.**

Recess

Mayor Collins recessed the meeting at 8:27 P.M.

Mayor Collins called the meeting back to order at 8:40 P.M.

March 6, 2006 meeting continued,

Discussion regarding town ordinance prohibiting consumption of alcoholic beverages along the greenway – Alderman Scott

Alderman Scott said the Greenway folks want the Town to adopt the same ordinance as the county's to enforce no drinking on the Greenway. Alderman Evans said years ago the Town agreed that the Greenway's maintenance, policing, etc. is the county's responsibility. John Henning, Jr. said the town police can enforce the county's ordinance. Alderman Evans said what else will this draw us into? **Motion was made by Mashburn, seconded by Scott to adopt an ordinance prohibiting consumption of alcoholic beverages along the Greenway. Motion carried. Vote: 5 to 1. Voting yes: Curtis, Mashburn, Pattillo, Roper and Scott. Voting no: Evans. A copy of the ordinance is attached.**

Ratification of telephone poll regarding resolution requesting legislative assistance with infrastructure improvements

Motion was made by Mashburn, seconded by Scott to ratify the telephone poll adopting the Resolution Requesting Legislative Assistance with Infrastructure Improvements for the Town of Franklin. Motion carried. Vote: 6 to 0. A copy of the resolution is attached.

Plans for town clean up project – Alderman Pattillo

Alderman Pattillo said the dates for the town cleanup are between May 1st and May 6th. She said we have a lot of support. She said we need materials for the trash cans. Alderman Curtis said the cost of the materials will be around \$3,000.00 and the cost of the actual cleanup will be \$2,500.00. He said we need to amend the budget up by these amounts. Alderman Mashburn said we need to ask the county for amnesty for the whole month of May. Betsey Gooder said I would ask you to table your decision of the newspaper bins until the next meeting. She said I plan to present an idea. Alderman Evans said I don't understand why the town board is involved. Mrs. Gooder said we asked permission from the businesses before we placed our racks. Alderman Scott said the Streets of Franklin had a request for the racks to be moved to one location. John Henning, Jr. said the power rests with the Board about the sidewalks. Mrs. Gooder said I want to request that you consider leaving two newspaper racks on each side of the street. Mayor Collins said we have the authority and there needs to be some cleanup. Alderman Scott said Quinton Ellison with the Asheville Citizen said realty guides are the same as newspapers. Mayor Collins said can we lawfully allow one or the other? Mayor Collins said since we are meeting in the middle of the month we will allow Mrs. Gooder to do a presentation. **Motion was made by Curtis, seconded by Pattillo to amend up the budget \$2,700.00 in beautification and up \$3,000.00 in street supplies. Motion carried. Vote: 6 to 0.**

March 6, 2006 meeting continued,

Planning board recommendations, scheduling of public hearings

Mike Decker said Rebecca Crawford's letters indicate that the Planning Board's recommendations on these rezoning petitions are as follows: (1) Joe Taylor – Residential to Business and (2) Reggie Holland – Residential to Neighborhood Mixed Use. Copies of the letters are attached. **Motion was made by Mashburn, seconded by Curtis to set the public hearing for 7:00 P.M. on April 3, 2006 for these rezoning petitions. Motion carried. Vote: 6 to 0.**

Water adjustments and payment of the bills

Water adjustments for February and payment of the bills were approved on motion made by Pattillo, seconded by Mashburn. Motion carried. Vote: 6 to 0.

Closed session

The Board went into closed session at 9:16 P.M., on motion made by Pattillo, seconded by Scott to discuss personnel. Motion carried. Vote: 6 to 0.

Motion was made by Curtis, seconded by Evans to come out of closed session at 9:56 P.M. Motion carried. Vote: 6 to 0.

Open session

The Board instructed John Henning, Jr. to create a new description for the Town Administrator's position.

Continuation of meeting

At 10:00 P.M., Mayor Collins continued the meeting until Monday, March 20, 2006 at 7:00 P.M.

Call to order

The regular March 6, 2006 meeting of the Town of Franklin Board of Aldermen was continued at 7:00 P.M., Monday, March 20, 2006 in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Jerry Evans, Carolyn Pattillo, Charles Roper and Bob Scott were present. Alderman Billy Mashburn was absent due to sickness.

Committee recommendation on water service to Crystal Falls Specialty Shops

Alderman Evans said Alderman Mashburn, Jay Gibson and I met and decided that Mrs. Dinnes can do five taps from her existing tap and run the water wherever she wants on her property. The Board agreed to this recommendation.

March 6, 2006 meeting continued,

Discussion regarding agreement with Egan & Briggs

Mike Decker said the new memo of understanding with Egan & Briggs includes nine trips which should cut down on the additional expenses. He said the duties are as follows: (1) Land Use Inventory - \$6,000.00, (2) Principles of Growth - \$9,000.00 and (3) Development of Ordinances - \$25,000.00. A copy is attached. **Motion was made by Scott, seconded by Pattillo to accept the Memorandum of Agreement with Egan & Briggs for \$40,000.00 plus expenses. Motion carried. Vote: 4 to 1. Voting yes: Curtis, Pattillo, Roper and Scott. Voting no: Evans.**

Discussion regarding town-wide cleanup and consolidation of newspaper racks and real estate guides along Main Street

Betsey Gooder said I gave each of you a presentation why we feel that the newspaper bins should stay on Main Street. A copy is attached. Colin Gooder said you are suggesting putting the newspaper and realty bins together. He said the entire membership of Main Street is not in favor of this suggestion. Alderman Pattillo said it is incorrect that I only talked to Barbara McRae with the *Franklin Press*. She said I also talked to Mr. Morris who is the publisher. Mayor Collins said we cannot separate newspaper and realty publications. He said the first amendment protects both. John Henning, Jr. said they are considered the same for first amendment. Mr. Gooder said the gazebo area is not a good location for the bins since Main Street is a one way street. He said we are asking you to leave the newspaper bins on Main Street with five on one side and three on one side. Alderman Scott said other towns are doing what we are planning to do. Mayor Collins said we will take your recommendation under advisement. Susanne Harris said I own Books Unlimited and most of my customers get a copy of the newspaper and the realty guides outside my business. She said I agree that there is an overload of bins that need to be cleaned up. Alderman Pattillo said the cleanup is a separate issue from the bins. She said we are not trying to put the newspapers in a dark alley. She said other towns have already put the bins in one location. Mayor Collins said we may need to have a second spot. Betsey Gooder said the Burrell Building location is not good since it is not in a high traffic area. Alderman Evans said we need to let them police it themselves. Alderman Roper said I agree. Alderman Curtis said I asked for a legal opinion from our attorney and since we just got it we need time to look at the information. The Board agreed to take this matter under advisement.

Alderman Pattillo said town will be divided into sixteen areas for the cleanup. She said we are working on getting our captains for each area. She said the Job Corps will be working on the trash cans. She said the main day for the cleanup will be May 6th, 2006 with a picnic at noon. She said we will be doing caps and visors with our logo "We Can." A copy of the report is attached.

March 6, 2006 meeting is continued,

Discussion regarding use of pavers on sidewalk near Rankin Square – Richard Clark

Richard Clark said the cost for doing the sidewalk around Rankin Square will be \$11,500.00. He said that will not include curb and guttering. Alderman Evans said we already have a contract with Tim Bates to do this sidewalk. Mayor Collins said Mr. Bates can still do the curb and guttering. Mr. Clark said I will need assistance from the Town's public works department to remove the old concrete or my price will increase. Alderman Evans said we need to check with Tim Bates before we change the contract. The Board instructed Mike Decker to talk to Tim Bates about changing his contract.

Bids for sidewalk repairs – Alderman Pattillo

Alderman Pattillo said I have two bids for repairing the sidewalk at the corner of Porter Street and Wayah Street near the Chamber of Commerce. She said the bids are as follows: (1) Bates Septic Tank & Concrete Products Co. - \$2,900.00 and (2) Bates & Sons Concrete & Grading - \$4,582.60. Copies of the bids are attached. **Motion was made by Scott, seconded by Curtis to accept the lowest bid of \$2,900.00 from Bates Septic Tank & Concrete Products Co. Motion carried. Vote: 5 to 0.**

Alderman Pattillo said I have an estimate from Bates Septic Tank & Concrete Products Co. to repair the following sidewalks: (1) from the hole at the football field to the press office - \$6,500.00 and (2) down Depot Street to Joe Sanders' property - \$1,200.00. **Motion was made by Evans, seconded by Roper to accept both estimates for a total cost of \$7,700.00 from Bates Septic Tank & Concrete Products Co. Motion carried. Vote: 5 to 0.**

Recess

Mayor Collins recessed the meeting at 7:59 P.M.

Mayor Collins called the meeting back to order at 8:03 P.M.

Budget calendar and appointment of budget committee

Mike Decker said for your information a proposed 2006-2007 budget calendar was enclosed in your agenda package.

Update on Burrell Building structural status

Mayor Collins said the report speaks for itself. A copy of the report is attached.

March 6, 2006 meeting continued,

Consideration of renewal of Blue Cross and Blue Shield employee health insurance

Mike Decker said we have received our medical insurance renewal rates. He said it is my recommendation that we keep our current benefits and go with the \$371.15 option. He said I am not recommending that the Town provide any additional supplement for those who have dependent coverage. A copy of the recommendation is attached. Alderman Scott said we may need to look at supplementing the insurance more strongly in the future. **Motion was made by Pattillo, seconded by Scott to accept Mike Decker's recommendation and stay with the current benefits. Motion carried. Vote: 5 to 0.**

Discussion regarding town administrator's duties

Mayor Collins said Mr. Henning has given you a copy of proposed changes to the town administrator's duties. He said we need to wait to discuss these changes when Alderman Mashburn can be present. A copy is attached.

Additional departmental and committee reports

Alderman Evans said Pickin' on the Square starts in late May. He said some painting and other maintenance needs to be done before that time at the gazebo. The Board agreed to ask Gerald Roper to do this work.

Janet Anderson gave a budget report to the Board for the period of July 2006 thru January 2006. A copy is attached.

Mike Decker said the Smoky Mountain Quilters Guild would like to use the Burrell Building for a quilt show the week of October 9 – 15, 2006. **Motion was by Scott, seconded by Curtis to allow the Smoky Mountain Quilters Guild to use the Burrell Building for a quilt show the week of October 9 – 15, 2006. Motion carried. Vote: 5 to 0.**

Mike Decker said the time capsule for the Sesquicentennial will be buried on Friday, March 24th, 2006 at 11:00 A.M. next to the Macon County Historical Museum on West Main Street.

Mike Decker said Janet Greene has been appointed by Macon County to serve as an ETJ member on the Franklin Planning Board.

March 6, 2006 meeting continued,

Adjournment

Mayor Collins adjourned the meeting at 8:30 P.M.

Joe Collins, Mayor

Janet A. Anderson, Town Clerk