

**December 4, 2006**

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, December 4, 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 Scott, seconded by Pattillo to approve the minutes for the November 6, 2006, November 16, 2006 and November 20, 2006 meetings as presented. Motion carried. Vote: 6 to 0.**

**Presentation on proposed Traditional Neighborhood Development overlay regulations**

Mike Decker did a brief power point on the proposed Traditional Neighborhood Development overlay regulations. A copy is attached.

**Public hearing on proposed Traditional Neighborhood Development overlay regulations**

Mayor Collins opened the public hearing on the proposed Traditional Neighborhood Development overlay regulations at 7:16 P.M. No persons were present to speak. Mayor Collins closed the public hearing at 7:17 P.M.

**Public hearing on revised Sewer Use Ordinance**

Mayor Collins opened the public hearing on the revised Sewer Use Ordinance at 7:18 P.M. No persons were present to speak. Mayor Collins closed the public hearing at 7:19 P.M.

**Check presentation to Friends of the Library – Roberta Swank**

Roberta Swank said Randolph Bulgin, Karen Wallace and I have come to personally thank you as a Board for the \$100,000.00 contribution to the new library. She said the Friends of the Library has raised close to one million dollars for the new library.

**Persons to be heard**

No persons were present to speak.

**December 4, 2006 meeting continued,**

**Departmental reports**

Fire Chief Pete Haithcock gave the fire department report. A copy of the report is attached. He said the fire department received a matching grant for \$67,873.00 from the Homeland Security for the exhaust system. He said we have received three bids for the new fire truck. He said the committee is still looking at the bids and does not have a recommendation at this time. Alderman Mashburn said did our attorney look over the advertising for the bids? Chief Haithcock said no. He said Mike Decker looked at the advertisement. Mike Decker said I did not see the actual advertisement but I told Chief Haithcock what to put in it.

Public Works Director Jay Gibson said the contractor will be ready to pour the sidewalk and do the paving this week on Maple Street. He said the Christmas lights have been put up. He said I would like to get with the Street Committee about purchasing a new street sweeper.

Police Chief Terry Bradley gave the police department report. A copy of the report is attached. He said we had a good attendance at the Christmas parade. He said the first week of Window Wonderland went well. Chief Bradley said please consider paving the street between the two parking lots behind the Burrell Building. Mayor Collins asked the Street Committee to look into this request. Chief Bradley said we are taking donations for the Shop with a Cop program.

Mayor Collins said Michael Grubermann had surgery and could not attend tonight.

**Request for water and sewer allocation – Dean Aldrich, AC&S Engineering and Surveying**

Tim Campbell said I am with AC&S Engineering and Surveying. He said we are asking for a water and sewer allocation for Wal-Mart at the intersection of Rogers Road and Highlands Road. He said we are asking for the following allocations: (1) sewer of 4,140 GPD, (2) domestic water of 4,600 GPD and (3) irrigation water of 5,100 GPD. A copy of the letter is attached. He said the building will be 150,000 square feet. Alderman Scott said I do not want to see a big box building. He said I will not vote for the allocation if that is the plans. He said you need to look at the new library and at Southwestern Community College. Mayor Collins said we can take the matter under advisement until he comes back with the plans. Alderman Pattillo said the new Wal-Mart at Asheville looks nice in appearance. Alderman Curtis said there is nothing in our ordinance requiring certain appearance but we would appreciate you working with us. Mr. Campbell said you need to talk to the architect about your concerns. **Motion was made by Mashburn, seconded by Evans to give the following allocations to Wal-Mart: (1) sewer of 4,140 GPD, (2) domestic water of 4,600 GPD and (3) irrigation water of 5,100 GPD. Motion carried. Vote: 4 to 2. Voting yes: Curtis, Evans, Mashburn and Roper. Voting no: Pattillo and Scott.**

**December 4, 2006 meeting continued,**

**Request for assistance with Civil War Trails signs – Tony Angel, Franklin Chamber of Commerce**

Tony Angel said I want to first thank each of you for your participation in the Christmas parade. He said I am a member of the Macon County Heritage Task Committee. He said the committee is working on getting markers for the North Carolina Civil War Trails Project. He said I am asking for funding of \$200.00 for the marker at the Thomas Legion and a \$200.00 annual maintenance fee. Information copies are attached. **Motion was made by Curtis, seconded by Pattillo to pay the \$200.00 for the Thomas Legion marker and do the annual maintenance fee of \$200.00. Motion carried. Vote: 6 to 0.**

**Consideration of sewer line extension – Mark Berry**

Ken Fromknecht said my client Mark Berry wants to put a three inch pressurized sewer line under Wells Grove road to his gas station. He said we have preliminary plans. He said the Town will have to sign the encroachment forms with the North Carolina Department of Transportation. Mr. Fromknecht said the property has been annexed. Alderman Evans said a three inch line does not fit with our future plans. Alderman Curtis said we need to have an eight inch gravity sewer line there. Mike Decker said you can't have a private line on the DOT's right of way. He said the Town has to agree to accept the line. Mr. Fromknecht said we may be able to get a private easement from the Taylors and tunnel the line under the road. Alderman Evans said no one else can use a pressurized line. Mr. Fromknecht said we wanted to get some discussion on the table.

**Consideration of renewal of water/sewer allocation – Bud Haley**

Bud Haley said I am planning to do one hundred twenty units for the Timberleaf project. He said I am planning to have more green space. He said I want to get a one year extension on my water/sewer allocation of 30,000 gallons per day. **Motion was made by Scott, seconded by Pattillo to extend the water/sewer allocation of 30,000 gallons per day for one year to Bud Haley for the Timberleaf project. Motion carried. Vote: 6 to 0.**

**Consideration of preliminary subdivision plat for Laurel Falls Development Co. LLC – Betsy Whitlock**

Betsy Whitlock said I have the final survey of the property for the subdivision. Mike Decker said I have reviewed the plat and it is in compliance with our ordinance. A copy is attached. **Motion was made by Mashburn, seconded by Evans to give preliminary approval of the subdivision. Motion carried. Vote: 6 to 0.**

**December 4, 2006 meeting continued,**

**Consideration of Traditional Neighborhood Development overlay regulations**

Alderman Evans said will the fire department have any problems getting the fire equipment into this development? Fire Chief Haithcock said there shouldn't be a problem. Jay Gibson asked if the streets will be owned by the Town. Tim Ryan said the homeowners will be responsible. Alderman Mashburn said we should decide up front if we are taking over the streets. Police Chief Bradley said if the Town does not adopt the streets the police cannot enforce them as public vehicular streets. **Motion was made by Curtis, seconded by Pattillo to adopt the Traditional Neighborhood Development overlay regulations. Motion carried. Vote 4 to 2. Voting yes: Curtis, Pattillo, Roper and Scott. Voting no: Evans and Mashburn.**

**Consideration of revised Sewer Use Ordinance**

Mike Decker said all the changes are either required by the state or from recommendation from our engineers. **Motion was made by Scott, seconded by Mashburn to adopt the revised Sewer Use Ordinance. Motion carried. Vote: 6 to 0. A copy is attached.**

**Consideration of Capital Improvement Plan for the wastewater collection system**

Mike Decker said we have a five year Capital Improvement Plan for the wastewater collection system. A copy is attached. **Motion was made by Mashburn, seconded by Evans to adopt this five year Capital Improvement Plan for the wastewater collection system. Motion carried. Vote: 6 to 0.**

**Set public hearing on Principles of Growth**

**Motion was made by Curtis, seconded by Scott to set a public hearing on the Principles of Growth for Monday, January 8, 2007 at 7:00 P.M. in the town hall board room. Motion carried. Vote: 6 to 0.**

**NCDOT offer to purchase right-of-way on Riverview Street**

Mike Decker said the North Carolina Department of Transportation has offered the Town \$13,950.00 for right-of-way and a temporary construction easement along Riverview Street. Alderman Evans said we need to be sure to protect our pump station. **Motion was made by Evans, seconded by Curtis to accept the NC DOT offer with the understanding that the pump station will not be altered. Motion carried. Vote: 6 to 0.**

**Additional departmental and committee reports**

Janet Anderson said the annual Christmas lunch will be on Friday, December 22, 2006 at 12:00 noon at the Jaycee Building.

**December 4, 2006 meeting continued,**

Alderman Curtis said what is the follow-up on the Whitmire property? John Henning, Jr. said I have nothing to report.

Alderman Pattillo said when we give approval to a developer is that approval assignable? Mayor Collins said they would need to come back for any modification of the plans.

**Annexation request**

**Motion was made by Evans, seconded by Curtis to direct the town clerk to check the sufficiency of the annexation petition from G & V Development, LLC. Motion carried. Vote: 6 to 0.**

**Consideration of participation in the FY 2007 Scattered Site Housing Program in Macon County**

Mike Decker said Macon County has asked that we decline participation in this program. **Motion was made by Evans, seconded by Mashburn to decline participation in the FY 2007 Scattered Site Housing Program in Macon County. Motion carried. Vote: 6 to 0.**

**Water adjustments – tax releases - pay bills**

**Water adjustments for November, tax releases and payment of the bills were approved on motion by Mashburn, seconded by Evans. Motion carried. Vote: 6 to 0. Copies are attached.**

**Adjournment**

Mayor Collins adjourned the meeting at 8:57 P.M.

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Joe Collins, Mayor

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Janet A. Anderson, Town Clerk