

Town of Franklin Board of Aldermen

Agenda

December 7, 2009

7 p.m.

1. Call to order – Mayor Collins
2. Approval of the November 2, 2009 minutes
3. Oath of office for the mayor – Vic Perry, Macon County Clerk of Court
4. Oath of office for the aldermen – Mr. Perry
5. Selection of a mayor pro tempore
6. 7:15 p.m. – (A) Public hearing on the petition for voluntary annexation from Lawrence A. and Tammy L. Gay
(B) Consideration of Gay annexation petition
7. 7:30 p.m. – (A) Public hearing on the petition for voluntary annexation from Benjamin H. Rich
(B) Consideration of Rich annexation petition
8. Public session
9. Administrative reports (if any)
10. Presentation on the Fiscal Year 2008-09 audit – Erica Brown/Martin Starnes & Associates
11. Consideration of request for non-profit funding from Angel Medical Center – Bea Sanford
12. Request to partner with the town to apply for Rural Health Care Initiative Grant – Bea Sanford
13. Petition for voluntary annexation for Joseph G. Moretti – Ken Fromknecht
14. Discussion and possible consideration of potential surplus properties:
(A) “Whitmire” property
(B) Old town hall
(C) “Prince” property on Wilkie Street
(D) Sloan Street property
15. Consideration of appointments to the Tourism Development Authority
16. Consideration of amendment to the privilege license fee schedule
17. Forward special use permit application from Sanctuary Terrace to the planning board
18. Consideration of the proposed 2010 town holiday schedule
19. Consideration of the proposed 2010 town board regular meeting schedule
20. Forward petition for rezoning to the planning board
21. Adjourn

December 7, 2009

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, December 7, 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 Mashburn to approve the minutes for the November 2, 2009 meeting as presented. Motion carried. Vote: 6 to 0.

Oath of office for the mayor

Vic Perry, Macon County Clerk of Court, administered the oath of office to Mayor Joe Collins.

Oath of office for the alderman

Vic Perry, Macon County Clerk of Court, administered the oath of office to Alderman Jerry Evans, Alderman Billy Mashburn and Alderman Carolyn Pattillo.

Selection of a mayor pro tempore

Motion was made by Scott, seconded by Evans to nominate Alderman Verlin Curtis to serve as vice-mayor. Motion carried. Vote: 6 to 0.

Public session

Howell Derrick said there are no Christmas decorations on Wayah Street. He said Depot Street has a lot of decorations. Mayor Collins said we will check into the placement of the decorations.

Dan Williams said a car ran into the Radio Shack. He said the insurance paid for the damages. He said problem solved. Mayor Collins said do you have a new problem? Mr. Williams said you would not file a claim and solve this Mickey Mouse issue. Mayor Collins said please sit down since this is not a new issue.

Public hearing on the petition for voluntary annexation from Lawrence A. and Tammy L. Gay

Mayor Collins opened the public hearing on the petition for voluntary annexation from Lawrence A. and Tammy L. Gay at 7:15 P.M.

December 7, 2009 meeting continued,

The following persons spoke at the hearing:

Russell Bowling – I am the attorney representing the Gays. The property is on the Georgia Road across from the Ruby Cinemas. The Waldroops want to open a grill. They want to sell beer and wine. The police are already serving Monte Alban.

Brooke Waldroop – We have a good plan to start a business. It will be a Mom and Pop atmosphere. It will be like the diners-drive-ins that you see on the Food Network.

Larry Gay – We are developing the property and do not have a finished product. It will be a rustic place with an opportunity for growth.

Howell Derrick – It is a raceway on that road. We need a traffic light.

Mayor Collins closed the public hearing at 7:22 P.M.

Consideration of Gay annexation petition

Alderman Scott said I am against satellite annexation. He said the Town does not make money. He said I will vote for it if the Town will annex the whole area. He said this property does not touch the town limits. Alderman Pattillo said we are trying to clean up our satellite annexations now. She said we need to do long range planning and not one or two at a time. Mayor Collins said it should not be an economic issue. He said if the Board wants to consider blanket annexation in the future it makes little sense to turn down these people now. Alderman Evans said I am in favor of it. He said one has already been annexed. He said we are picking and choosing. Alderman Handley said I do not want to satellite annex.

Motion was made by Handley, seconded by Evans to recuse Alderman Mashburn from voting on the petitions. Motion carried. Vote: 5 to 0.

Motion was made by Curtis, seconded by Pattillo to table a decision on the Gay annexation petition. Motion carried. Vote: 5 to 0.

Public hearing on the petition for voluntary annexation from Benjamin H. Rich

Mayor Collins opened the public hearing on the petition for voluntary annexation from Benjamin H. Rich at 7:35 P.M.

The following person spoke at the public hearing:

December 7, 2009 meeting continued,

Russell Bowling – The annexation is for the old Boyd Restaurant. The Thai Paradise Restaurant is located there. They want to be able to sell wine and beer. Mr. Rich has owned the property since 1995.

Benjamin Rich – Basically they want to sell wine and beer. They want to be able to do parties. It is a tool to survive.

Mayor Collins closed the public hearing at 7:40 P.M.

Consideration of Rich annexation petition

Motion was made by Handley, seconded by Pattillo to table the Rich annexation request. Motion carried. Vote: 5 to 0.

Recess

Mayor Collins recessed the meeting at 7:46 P.M.

Mayor Collins reconvened the meeting at 7:54 P.M.

Presentation on the Fiscal Year 2008-2009 audit

Erica Brown with Martin Starnes & Associates presented the Fiscal Year 2008-2009 audit report. A copy of the power point presentation is attached.

Administrative reports

Mayor Collins said the committees will remain the same for now.

Sam Greenwood said the Town received from the North Carolina League of Municipalities a Level II Conservation Award.

Consideration of request for non-profit funding from Angel Medical Center

Bea Sanford said I am requesting \$5,000.00 from the non-profit funding pool. She said the funds will provide mammography screenings for 250 uninsured/underinsured women who live inside Town. Information copies are attached. Alderman Scott said we will need to restrict the money to residents inside Town. Alderman Handley said it is a worthy cause. Alderman Evans said we will need to restrict the funds to be used for Town residents.

Motion was made by Pattillo, seconded by Handley to allocate \$2,500.00 from the non-profit funding pool to Angel Medical Center to provide mammography screenings for women who live inside Town. Motion carried. Vote: 6 to 0.

December 7, 2009 meeting continued,

Request to partner with the town to apply for Rural Health Care Initiative Grant

Bea Sanford said Angel Medical Center is applying for a Rural Health Care Initiative Grant in the amount of \$36,000.00. She said Angel Medical Center will be responsible for any matching funds. She said Angel Medical Center needs to partner with a unit of local government.

Motion was made by Handley, seconded by Mashburn to authorize Mayor Collins to sign the grant application. Motion carried. Vote: 6 to 0.

Petition for voluntary annexation for Joseph G. Moretti

Mayor Collins said we have a petition for voluntary annexation from Joseph G. Moretti.

Motion was made by Pattillo, seconded by Mashburn to table the petition for voluntary annexation from Joseph G. Moretti. Motion carried. Vote: 6 to 0.

Discussion and possible consideration of potential surplus properties

Sam Greenwood said we have property that we may want to surplus. He said a development firm can do a presentation for the Board. Alderman Pattillo said we need a plan with our options. Alderman Scott said I want the Whitmire property to stay in the Town's coffers.

Motion was made by Pattillo, seconded by Curtis to authorize Sam Greenwood to look into the cost of a development firm for the possible surplus of the Whitmire property and the old town hall property. Motion carried. Vote: 6 to 0.

Sam Greenwood said we need to complete the water tank on Wilkie Street before we sell the remaining portion of the Prince property.

Sam Greenwood said the Sloan Street property can be declared surplus now.

Motion was made by Handley, seconded by Evans to declare the Sloan Street property surplus. Motion carried. Vote: 6 to 0.

Consideration of appointments to the Tourism Development Authority

Sam Greenwood said Deb Thompson Heatherly has served a one-year appointment on the TDA. He said we are recommending that she be appointed for a three-year term. He said there are two three-year term vacancies on the TDA. He said the names forwarded by the TDA are Danny Seay, Beverly Mason and Elizabeth Coulter. Mr. Greenwood said Elizabeth Coulter is a member of the TDC. He said that could cause a conflict.

December 7, 2009 meeting continued,

Motion was made by Scott, seconded by Curtis to appoint Danny Seay and Beverly Mason to three-year terms to the TDA. Motion carried. Vote: 6 to 0.

Consideration of amendment to the privilege license fee schedule

Michael Grubermann said we need to set a fee for a privilege license for electronic sweepstakes games. He said at this time there is no fee. He said I have a proposed ordinance amending the fee schedule.

Motion was made by Curtis, seconded by Handley to adopt the ordinance amending the fee schedule to regulate Internet Access Providers and set the fee at \$2,600.00 annually. Motion carried. Vote: 6 to 0. A copy is attached.

Forward special use permit application from Sanctuary Terrace to the planning board

Motion was made by Scott, seconded by Handley to forward the special use application for the Sanctuary Terrace Apartment Complex to the Planning Board for a recommendation. Motion carried. Vote: 6 to 0.

Consideration of the proposed 2010 town holiday schedule

Motion was made by Mashburn, seconded by Evans to adopt the 2010 holiday schedule as presented. Motion carried. Vote: 6 to 0. A copy is attached.

Consideration of the proposed 2010 town board regular meeting schedule

Motion was made by Curtis, seconded by Evans to adopt the regular meeting schedule for 2010 as presented. Motion carried. Vote: 6 to 0. A copy is attached.

Forward petition for rezoning to the planning board

Motion was made by Mashburn, seconded by Evans to forward Alton Thomas Alligood III's rezoning request on to the Planning Board for a recommendation. Motion carried. Vote: 6 to 0.

Other business

Alderman Scott said we need to follow up on the Veteran's Memorial signs. Sam Greenwood said I will make a phone call.

December 7, 2009 meeting continued,

Alderman Pattillo said there is a garbage dump in the woods near Gerald Roper's property on Anderson Street. Sam Greenwood said that he would look into the matter.

Departmental reports are attached.

Adjournment

**Motion was made by Evans, seconded by Mashburn to adjourn the meeting at 9:15 P.M.
Motion carried. Vote: 6 to 0.**

Joe Collins, Mayor

Janet A. Anderson, Town Clerk