

March 7, 2011

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, March 7, 2011 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Joyce Handley, Billy Mashburn, Carolyn Pattillo and Bob Scott were present.

Call to order

Mayor Collins said Alderman Jerry Evans passed away on February 17th. He said our prayers are with his family.

Public hearing on the voluntary annexation petition for Joe and Emma Jean Taylor

Mayor Collins opened the public hearing on the voluntary annexation petition for Joe and Emma Jean Taylor at 7:01 P.M.

No persons spoke at the public hearing.

Mayor Collins closed the public hearing at 7:02 P.M.

Consideration of Joe and Emma Jean Taylor petition

Motion was made by Curtis, seconded by Handley that the Board finds that the petition meets the requirements of N.C.G.S. section 160A-31, that the petition be accepted, and the petitioners' property be annexed by ordinance, effective immediately. Motion carried. Vote: 5 to 0.

Approval of the minutes

Motion was made by Mashburn, seconded by Scott to approve the minutes for the February 7, 2011 meeting with the following change: other properties inside Town to properties outside Town on page 5. Motion carried. Vote: 5 to 0.

Public hearing on the voluntary annexation petition for Ridgecrest Exxon

Mayor Collins opened the public hearing on the voluntary annexation petition for Ridgecrest Exxon at 7:05 P.M. The following persons spoke at the public hearing:

Thomas Fouts – I am representing Ridgecrest Baptist Church and the residents of the community. We are in opposition of this annexation. We have a petition with 281 signatures of persons opposing the annexation of Ridgecrest Exxon. A copy is attached. We object because when you look at this request, the only economic purpose that can come out of it in the long run is to have a license to sell alcoholic beverages. The store acts as a gateway to Franklin on 441 North. The first thing people are going to see as they come into town is beer and wine sales. The store is within 350 feet of Ridgecrest Baptist Church. This is a residential area.

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Billy Vanhook – I am one of the owners of Ridgecrest Exxon. I am speaking on behalf of my family and on behalf of the Greenwood family. We appreciate what you do in your jobs. We are pro Franklin. With due respect to the previous speaker this is not an alcohol issue. We ask that we be treated fairly. Our property is 1.5 miles from the town limits. We are the mirror image of the Thai Restaurant. You would be extending exactly the same distance. The business has been there fifty years. Alcohol sold in the store is off premises. Alcohol sold in a restaurant is on premises. Be fair to our families. We pay taxes. Please don't rule us out because of selective annexation.

Orville Coward – I am the attorney representing the owners of Ridgecrest Exxon. My clients respect the Board and the church members. The petition presented tonight was inside Car City and signed there. The annexation policy passed by the Board in 2010 does not prohibit satellite annexation. The Ridgecrest Exxon petition was filed in January 2011. The Board adopted the amendment to the annexation policy on February 7, 2011 by adding a paragraph stating “that the town will not consider voluntary annexation of a non-contiguous property outside the defined ETJ, if the sole purpose of the annexation is to allow the sales of beer, wine or spirits.” The problem with this amendment is that the aldermen lost all discretion to vote for or against a petition. You received the petition prior to the amendment to the annexation policy. The only fair thing is to vote for annexation. They deserve the same consideration as previous property owners. We ask the Board to approve the petition.

Donna Sanders – The signatures on the petition are from Ridgecrest Baptist Church.

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

Consideration of Ridgecrest Exxon petition

Motion was made by Curtis, seconded by Scott that the petition be rejected and the Town decline to annex the subject property. Motion carried. Vote: 5 to 0.

Recess

Mayor Collins recessed the meeting at 7:41 P.M.

Mayor Collins reconvened the meeting at 7:50 P.M.

Public session

Clarence Jones – I am a student with LBJ Job Corp. Kareem Ellerbe and Donald Gail also are students at the Job Corp. We are promoting exercise and fitness for the community. We have plans to do improvements at the recreation park. We plan to start the project in May and have it completed in August. Pictures were shown to the Board of the plans for the project.

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Street closing requirements draft for festivals

Motion was made by Handley, seconded by Pattillo to adopt the Requirements for Street Closing for Festivals. Motion carried. Vote: 5 to 0. A copy is attached.

Street closing request

Motion was made by Pattillo, seconded by Handley to close Phillips, Iotla and Main Street for the Taste of Scotland on June 18, 2011. Motion carried. Vote: 5 to 0. A copy of the request is attached.

Motion was made by Pattillo, seconded by Handley to close Phillips, Iotla and Main Street for Pumpkin Fest on October 21, 2011 and October 22, 2011. Motion carried. Vote: 5 to 0.

Motion was made by Scott, seconded by Mashburn to close Phillips and Iotla Street for April Fool's Trail Days on April 2, 2011. Motion carried. Vote: 5 to 0.

Tourism Development Authority appointment

Sam Greenwood said this appointment needs to be postponed.

Tourism Development Commission appointment

Motion was made by Curtis, seconded by Pattillo to appoint Summer Woodard to the Tourism Development Commission replacing Mike Decker. Motion carried. Vote: 5 to 0.

Mayor Collins said Mike Decker has taken a job with Macon County. He said we appreciate his service to the Town.

Consideration of award for the sidewalk bid

Michael Grubermann said it is my recommendation that you reject all the bids on the sidewalk work and rebid the project. A copy of the bids is attached.

Motion was made by Curtis, seconded by Pattillo to reject all bids and to rebid the project. Motion carried. Vote: 5 to 0.

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Appropriation of Rural Hope funds

Sam Greenwood said we need to appropriate the Rural Hope funds in amount of \$60,000.00 to the Angel Medical Center. Janet Anderson said we also need to do a budget amendment.

Motion was made by Handley, seconded by Mashburn to appropriate the Rural Hope funds in the amount of \$60,000.00 to the Angel Medical Center and amend the budget. Motion carried. Vote: 5 to 0. A copy of the amendment is attached.

Other business

Alderman Pattillo said Wayah Street needs to be repaired and widened as soon as possible. Alderman Curtis said the North Carolina Department of Transportation is having a transportation plan public hearing on March 24, 2011 from 4:30 P.M. to 7:00 P.M. in town hall.

Departmental reports are attached.

Adjournment

Motion was made by Curtis, seconded by Handley to adjourn the meeting at 8:16 P.M. Motion carried. Vote: 5 to 0.

Joe Collins, Mayor

Janet A. Anderson, Town Clerk