

September 6, 2011

The regular meeting of the Town of Franklin Board of Aldermen was held on Tuesday, September 6, 2011 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Joyce Handley, Farrell Jamison, Billy Mashburn, Carolyn Pattillo and Bob Scott were present.

Approval of the minutes

Motion was made by Curtis, seconded by Handley to approve the minutes for the August 1, 2011 meeting as presented. Motion carried. Vote: 6 to 0.

Proclamation - Constitution Week

Motion was made by Handley, seconded by Jamison to proclaim September 17 -23, 2011 as *Constitution Week* in Franklin. Motion carried. A copy of the proclamation is attached.

Proclamation – Breast Cancer Awareness Month

Motion was made by Curtis, seconded by Handley to proclaim October as *National Breast Cancer Awareness Month* in Franklin. Motion carried. Vote: 6 to 0. A copy of the proclamation is attached.

Public hearing – Tropical Investment rezoning request – 1769 Old Murphy Road

Mayor Collins opened the public hearing on Tropical Investment rezoning request at 7:05 P.M.

The following persons spoke at the public hearing.

Chuck Holland – I have pictures of this property. Copies are attached. My house on this property burned down two years ago. The zoning on this property changed in January 2011. Due to this change in zoning we cannot put a double wide on this property. We want the property rezoned to R-2 so that we can put a double wide on the property and rent it.

John Henning, Jr. – This is a case of spot zoning.

Chuck Holland - There is a conflict of interest since the town planner owns property next to my property.

John Henning, Jr. – Michael Grubermann has recused himself from this rezoning request.

Connie Grubermann - I wrote a letter protesting this rezoning. A copy of the letter is attached.

Mayor Collins closed the public hearing at 7:15 P.M.

September 6, 2011 meeting continued,

Consideration – Tropical Investment rezoning request

Alderman Pattillo said this would be spot zoning. Alderman Handley said I am against spot zoning. Alderman Curtis said we went through a long process to protect the commercial corridors. He said I am not in favor of changing the zoning. Alderman Scott said the Planning Board recommended rezoning the property. John Henning, Jr. said this fits the definition of spot zoning.

Motion was made by Curtis, seconded by Handley to deny Tropical Investment rezoning request on the basis of spot zoning. Motion carried. Vote: 6 to 0.

Set public hearing for Chuck Holland special use application

Motion was made by Mashburn, seconded by Curtis to set the public hearing for Chuck Holland special use application for Monday, October 3, 2011 at 7:05 P.M. Motion carried. Vote: 6 to 0.

Public session

Lorraine Johnson – Mountain Mediation Services is requesting \$1,000.00 to help provide court mediations.

Karen Wallace – Macon County Public Library is requesting \$12,000.00 to fund the Reading Rover bookmobile.

Don Capaforte – Angel Medical Center is requesting \$5,000.00 to improve the Outpatient Medicine Department.

Wendy Dalton – Macon County CareNet is requesting \$5,000.00 to help purchase food and paying delinquent water bills for clients.

Janet Greene – Scottish Tartans Museum Board is requesting \$5,125.00 to help pay off its t-shirt machine.

Bob Poindexter – Macon County Historical Society is requesting \$20,000.00 to pay for renovations of the building.

Bobbie Contino – The Arts Council is requesting \$2,500.00 to help fund arts programs.

Don Lanson – The Smoky Mountain Marine Corps League is requesting \$750.00 to help fund its annual regional dance.

September 6, 2011 meeting continued,

Forward petition for rezoning on Windy Gap to the planning board

Motion was made by Handley, seconded by Curtis to forward the rezoning petition on Windy Gap to the planning board for a recommendation. Motion carried. Vote: 6 to 0.

Forward special use application for Verizon Cell Tower on Gaston Street to the planning board

Motion was made by Mashburn, seconded by Curtis to forward the special use application for Verizon Cell Tower on Gaston Street to the planning board for a recommendation. Motion carried. Vote: 6 to 0.

Street closure

Matt Kolodzik said The First Christian Church of Franklin is planning to have our first Forge in Franklin event at the gazebo on Friday, September 16, 2011. He said we need to close Iotla Street during this time.

Motion was made by Pattillo, seconded by Curtis to close Iotla Street for the Forge in Franklin on Friday, September 16, 2011 from 6 – 9 P.M. Motion carried. Vote: 6 to 0.

Recess

Mayor Collins recessed the meeting at 8:03 P.M.

Mayor Collins reconvened the meeting at 8:14 P.M.

Resolution adopting a Comprehensive Transportation Plan

Motion was made by Curtis, seconded by Jamison to approve a resolution adopting a Comprehensive Transportation Plan for the Town of Franklin. Motion carried. Vote: 6 to 0. A copy of the resolution is attached.

Discussion of noise ordinance

Howell Derrick said about four years ago I complained about the Jake brakes on the tractor trailer trucks. Sam Greenwood said the North Carolina Department of Transportation plans to reroute the truck traffic off of Wayah Street after Depot Street Extension work is done. The Board took no action.

September 6, 2011 meeting continued,

Non-profit funding pool applications

The Board discussed the following about the criteria for the non-profit funding pool applications: (1) cap award amount, (2) reserve amount, (3) deadline, (4) operating or one-time expense, (5) public purpose requirement, (6) non-profit status, and (7) other governmental agencies.

Fire equipment information

Warren Cabe said we are looking at purchasing a demo aerial truck. He said want to do due diligence before we ask the Board for a decision. Sam Greenwood said the company will continue warranty on this truck. The Board took no action.

Other business

Departmental reports are attached.

Sam Greenwood said the Board has asked that their payroll check be paid earlier in the month. He said there are two alternatives. He said one is to do bi-weekly or continue to get paid the last payroll of the month. After some discussion, the Board took no action.

Alderman Pattillo said between 7:30 – 8:30 A.M. the traffic at our house is terrible. Larry Moses said the traffic light could be retimed.

Continuation of meeting

At 9:25 P.M., motion was made by Scott, seconded by Handley to continue the September 6, 2011 meeting to Monday, September 19, 2011 at 5:30 P.M. Motion carried. Vote: 6 to 0.

Call to order

The regular September 6, 2011 meeting of the Town of Franklin Board of Aldermen was continued at 5:30 P.M., Monday, September 19, 2011 in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Joyce Handley, Farrell Jamison, Carolyn Pattillo and Bob Scott were present. Alderman Billy Mashburn was absent.

Board member absence

Motion was made by Handley, seconded by Curtis to excuse Alderman Billy Mashburn from the meeting due to being on vacation. Motion carried. Vote: 5 to 0.

September 6, 2011 meeting continued,

Resolution to allow Summer Woodard to sign ABC permit applications for the Town of Franklin

Motion was made by Handley, seconded by Curtis to adopt a resolution allowing Summer Woodard to sign ABC permit applications for the Town of Franklin. Motion carried. Vote: 5 to 0. A copy of resolution is attached.

Set public hearing for Windy Gap rezoning request

Motion was made by Pattillo, seconded by Curtis to set public hearing for the Windy Gap rezoning request on Monday, October 3, 2011 at 7:10 P.M. Motion carried. Vote: 5 to 0.

Speed limit signs

Mayor Collins said I want to discuss the speed limit signs on Depot Street. He said that the North Carolina Department of Transportation needs to be contacted about the speed limits signs. Michael Grubermann said that the Department of Transportation had already been contacted about these signs.

Designation of voting delegate for North Carolina League of Municipalities meeting

Motion was made by Pattillo, seconded by Handley to appoint Alderman Jamison as the voting delegate for the North Carolina League of Municipalities meeting. Motion carried. Vote: 5 to 0.

Motion was made Curtis, seconded by Jamison to appoint Alderman Pattillo as the alternate voting delegate for the North Carolina League of Municipalities meeting. Motion carried. Vote: 5 to 0.

Water supply contract

Sam Greenwood suggested that W.K. Dickson conduct the water system assessment management plan for the Town of Franklin. He said this assessment is necessary and is the first step for the water plant expansion. Mayor Collins asked when the last water supply assessment was done. Mr. Greenwood said the last study was done twelve years ago. Mayor Collins asked why you suggest that the Board go with W.K. Dickson for the water study. Mr. Greenwood said that an outside opinion was needed and W.K. Dickson was involved in other projects with Macon County and with the Macon County Airport construction. Mayor Collins said the airport and the new school are interested in municipal water. He said the new school is looking for a long term water sources. He said fire protection is a concern for the school as well.

Motion was made Curtis, seconded by Jamison to authorize W.K. Dickson to do a water supply study for the Town of Franklin for \$80,000.00 and to apply for grants with the Rural Center. Motion carried. Vote: 5 to 0.

September 6, 2011 meeting continued,

Discussion on non-profit funding pool applications

Alderman Scott said do the agencies applying have to be a 501(c) (3)? John Henning, Jr. said yes. He said the agencies must be considered a 501(c) (3) to receive funding from the town. Mayor Collins said before we go any further I believe we have a late entry we need to hear.

Macon County United Gift fund

Karen Stiwinter – I am the President of the Macon County United Gift fund and I have the Vice-President Tom Ritter with me tonight. We are here tonight to ask the Board to consider our organization to assist you with funding requests/applications for the non-profit funding pool. We are one of sixty organizations in North Carolina. We are asking the Town to let our agency funnel the non-profit funding provided by the town to local agencies. We have the ability to see if organizations are indeed a 501(c) (3). We have a diverse board of directors.

Alderman Jamison – How long has your organization been around?

Karen Stiwinter – Twenty years.

Alderman Pattillo – How often do you give funding to agencies?

Karen Stiwinter – We give once per year. We limit our funding to \$1,500.00 per agency. One hundred percent of the money that the town would give our organization would be funneled to local agencies.

Alderman Jamison – Do you do the county's non-profit funding pool?

Karen Stiwinter – Not yet. We are trying to work with the county.

Tom Ritter – Our organization does the mystery dinner show and the money that is raised is given to local agencies in need of assistance. We are simply offering our services to the Town.

Mayor Collins – So the Town gives you a check and your organization than redistributes the money to the organizations that come to you asking for funding. I don't understand how this would help town residents.

John Henning, Jr. – The Board needs to have very precise reporting standards and review this process very closely and carefully.

Karen Stiwinter – We completely understand. The Board would be welcomed to sit in on our board meetings.

Alderman Pattillo – Maybe this could be something we look at next year.

September 6, 2011 meeting continued,

John Henning, Jr. – I would be more comfortable if the Board looked at this next year. What other municipalities do this?

Karen Stiwinter – Bryson City

Alderman Handley – So for example, we would give your organization money to give to a local organization like CareNet.

Karen Stiwinter – Yes. If you wanted to specify what organizations received funding, we could set it up this way. Our organization benefits the entire county.

Mayor Collins – Thank you for coming.

Discussion on non-profit funding pool applications continued

Mayor Collins – We will continue discussion on the non-profit funding.

Alderman Jamison – I believe we should set aside \$5,000.00 in reserve.

Mayor Collins – That would then leave us with \$35,000.00.

Alderman Jamison – I am concerned with two applicants. The Smoky Mountain Marine Corps League is not a 501(c) (3). Smoky Mountain Mediation does not meet the non-profit application requirements. They service six counties. The funding would not be spent in Franklin. In the future we need to limit non-profit funding requests to a specific need.

Alderman Scott – The Scottish Tartans Museum request should be sent to the TDA. Also, Angel Medical Center does not meet the public purpose requirement. Angel Medical Center is under the umbrella of Mission Hospital.

Alderman Pattillo – No, Angel is not under Mission hospital yet. I would like to see Angel Medical Center get \$3,000.00.

Alderman Scott – The problem I have with Angel's request is that public funds are involved and their board meetings are confidential.

Alderman Handley – I would like to see Angel Medical Center receive \$3,000.00

Mayor Collins – Let's discuss each organization individually. What about the Arts Council?

Alderman Scott – I would think they would qualify for TDA funding. Also, I cannot see public funding going to pay for a t-shirt machine for the Scottish Tartans Museum.

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Alderman Pattillo – The museums are very important to our Town.

Mayor Collins – Do we have any guidelines that suggest what the agencies use funding on?

Sam Greenwood – The funds cannot be used for direct operating costs.

Alderman Curtis – We need to set a cap of \$5,000.00. This is one of the requirements in the application. I believe the following amounts should be given: Macon County CareNet - \$5,000.00, Macon County Historical Society - \$5,000.00, Macon County Public Library - \$5,000.00 and REACH - \$5,000.00.

Mayor Collins – What about Macon County Habitat of Humanity?

Alderman Curtis – They only met three of the eleven application requirements. But, they deserve support.

Alderman Scott – A lot of organizations now participate with World Changers.

Alderman Curtis – The county and churches work with World Changers.

Mayor Collins – We are in agreement that four agencies deserve \$5,000.00.

Alderman Curtis – Yes.

Alderman Pattillo – Yes.

Alderman Handley – Yes. These four need funding.

Mayor Collins – Do we want to give \$2,500.00 to the Arts Council?

Alderman Handley – Yes.

Alderman Pattillo – Yes.

Mayor Collins – What about Macon County Habitat for Humanity?

Alderman Handley – I would like to see them receive \$5,000.00

Alderman Curtis – I would recommend \$3,500.00

Mayor Collins – What about the Scottish Tartans Museum? I think we should give as much as we can and designate the use of the funding.

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Alderman Handley – I would be comfortable with \$5,000.00

Alderman Curtis – I would recommend \$5,000.00

Mayor Collins – What about Angel Medical Center?

Alderman Curtis – I would recommend \$3,000.00.

Alderman Handley – I agree.

Alderman Pattillo – I agree.

Mayor Collins – Do we want to vote on the agencies individually or with a single motion designating amounts.

Alderman Scott – I would prefer to vote on these requests individually.

Mayor Collins – We will vote on each agency individually.

Motion was made by Pattillo, seconded by Curtis to award \$3,000.00 to Macon County Habitat for Humanity. Motion carried. Vote: 5 to 0.

Motion was made by Handley, seconded by Curtis to award \$5,000.00 to the Scottish Tartans Museum. Alderman Scott said does this preclude the t-shirt machine? Mayor Collins said I do not see how we can do that. Motion carried. Vote: 4 to 1. Voting yes: Curtis, Handley, Jamison and Pattillo. Voting no: Scott.

Motion was made by Curtis, seconded by Jamison to award \$5,000.00 to the Macon County Public Library. Motion carried. Vote: 5 to 0.

Alderman Scott said I wish to recuse myself from the vote on REACH since I am on the board for REACH. John Henning, Jr. said do you receive monetary funds for serving on this board? Alderman Scott said no. Mr. Henning, Jr. said since you do not receive any funds from REACH you do not need to recuse yourself from voting.

Motion was made by Handley, seconded by Curtis to award \$5,000.00 to REACH. Motion carried. Vote: 5 to 0.

Motion was made by Scott, seconded by Curtis to award \$5,000.00 to the Macon County Historical Society Museum. Motion carried. Vote: 5 to 0.

September 6, 2011 meeting continued,

Motion was made by Jamison, seconded by Curtis to award \$5,000.00 to Macon County CareNet. Motion carried. Vote: 5 to 0.

Motion was made by Pattillo, seconded by Handley to award \$3,000.00 to Angel Medical Center. Motion carried. Vote: 4 to 1. Voting yes: Curtis, Handley, Jamison and Pattillo. Voting no: Scott.

Motion was made by Curtis, seconded by Pattillo to award \$2,500.00 to the Arts Council. Motion carried. Vote: 5 to 0.

Adjournment

Motion was made by Scott, seconded by Handley to adjourn the meeting at 6:30 P.M. Motion carried. Vote: 6 to 0.

Joe Collins, Mayor

Janet A. Anderson, Town Clerk