

## **August 2, 2004 meeting,**

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, August 2, 2004 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Edwin Hall, Billy Mashburn, Charles Roper, Bob Scott and Jim Williamson were present.

### **Approval of the minutes**

**Motion was made by Williamson, seconded by Hall to approve the minutes for the July 6, 2004 meeting as presented. Motion carried. Vote: 6 to 0.**

### **Persons to be heard**

Roger Plemens with Macon Bank said we are requesting water to the seven lots that we are doing in our corporate park. He said we have hired Al Ledford as our consultant for this project to extend the water and sewer lines. He said the water line will go on the right side of the road and the sewer line will go on the left hand side of the road. Mr. Plemens said we plan to tie on at Hunnicutt Lane. He said we understand all costs will be paid by the bank. **Motion was made by Curtis, seconded by Mashburn to approve the water and sewer request subject to approval from Public Works Director Jay Gibson and Fire Chief Pete Haithcock. Motion carried. Vote: 6 to 0.**

Robbie McCoy said my engineer Victor Lofquist is here tonight to explain the plans for my subdivision at the corner of Dobson Road and Patton Road. Mr. Lofquist said the plans call for forty lots. He said we will put the lines along the subdivision road. He said the plans are to do an eight inch water main. He said we would need 16,000 gallons of water per day. Robbie McCoy said the tract of land is fifty acres and the lots will be at least one acre with some lots being two acres. She said I hope some of the purchasers buy more than one lot. Mr. Lofquist said the plans are to turn over the lines to the Town after one year maintenance free. Mayor Collins said does the water and sewer committee need to look at this project? Alderman Curtis said I have already looked at it. He said who is going to put in the lines? He said we want a good line if the taxpayers are going to maintain it later. Mr. Lofquist said we will take bids and we will select a licensed contractor. Mayor Collins asked Janet Anderson to report on the amount of available water allocation remaining. Janet Anderson said there is 698,845 gallons of capacity left at the water treatment plant. Alderman Williamson said I think the water/sewer committee should look at the proposed plans. He said we need to know who the contractor and inspector will be on the project. Alderman Mashburn said we added that clause to our extension policy. He said the impact fees would apply. Bobby Key said they need to sign a contract stating that they would be willing to be annexed if so desired by the Town. **Motion was made by Curtis, seconded by Roper to give tentative approval to Robbie McCoy for 16,000 gallons of water per day with engineering plans being presented to the Town. Motion carried. Vote: 6 to 0.**

**August 2, 2004 minutes continued,**

**Departmental reports**

Assistant Police Chief Jerry Dehart gave the police department report. A copy is attached.

Fire Chief Pete Haithcock gave the fire department report. A copy of the report is attached. He said the fire department is preparing for the ISO review.

Public Works Director Jay Gibson reported the following: (1) the Town Mountain sewer line is one third complete, (2) the Macon Middle School water line is fifty to sixty percent complete and (3) the Baird Cove sewer line has been started. Mayor Collins said is the property owner on Town Mountain satisfied to where the sewer line is going? Mr. Gibson said yes. Alderman Scott said there are several street lights burned out on town hill. Mayor Collins said I will talk to Police Chief Bradley about the police department reporting when street lights are burned out.

**Presentation by Janet Jacobs Greene – 150<sup>th</sup> Anniversary Celebration Committee**

Mike Decker said Mrs. Greene was unable to attend the meeting. He said I will give a report. He said the following members of the committee are here: Stephanie Andrews and June Hernandez. He said there are plans to do the following: (1) put welcome signs indicating the date the Town was established, (2) to purchase green banners with white lettering for Main Street and (3) to send invitations to dignitaries. He said the plans are to kick off the celebration on February 10, 2005 with more events over Memorial Day weekend and over the 4<sup>th</sup> of July. He said the Chamber of Commerce will be doing all the merchandising and Barbara White with the Historical Society will be collecting items to put in the time capsule. Mr. Decker said the next meeting will be on August 19, 2004. He said the committee plans to give monthly reports. Mr. Decker said the plans are when items are purchased that the committee gets a purchase order from me with the bills coming directly to the Town for payment out of the funds that were budgeted for this celebration.

**Request for rezoning – Larry Turlington**

Larry Turlington said I want to get my property on Wayah Street rezoned from residential to business. He said I have a petition from the adjoining property owners stating they have no objection to my property being changed to business. A copy is attached. He said I am planning to move the commercial signs off my property. He said I am trying to do my part. Mayor Collins said if we only consider your property it would be spot zoning. He said we need to try to create a hybrid business district for low impact type of businesses. He said we can get Jeff Fischbach with the state to work with us. Alderman Scott said a doctor's office is not considered a business use but they are doing business for a profit. Alderman Curtis said do we need to turn over this request to the Planning Board for a recommendation? Mayor Collins said no it would be spot zoning since his property is completely surrounded by residential property. Mayor Collins said we need to do an overlay district. Alderman Mashburn said I have advocated that

## **August 2, 2004 meeting continued,**

for years. Mike Decker said we could get guidance from Jeff Fischbach and the Institute of Government so that it would fit our corridors. Mayor Collins, Alderman Hall and Alderman Williamson agreed to serve on a committee to work on creating an overlay district.

### **Discussion – Enforcement of the Soil Erosion and Sedimentation Control Ordinance**

Mayor Collins said Josh Ward was unable to attend the meeting tonight. Mayor Collins, Alderman Scott and Jay Gibson agreed to be on a committee to meet with Mr. Ward.

### **Consideration of resolution regarding hazard mitigation plan**

Warren Cabe said I am with the Emergency Service with Macon County. He said we are preparing a plan to respond to a natural disaster. He said the state passed in 2001 Senate Bill 300 requiring us to have a resolution in place before November 1, 2004. He said we have been doing a multi-jurisdiction plan. He said the local, state and federal government all have to approve this plan. He said our first goal is to establish a practice of implementing programs and developing plans that prevent or lessen the negative impacts of natural hazards. He said our second goal is to engage in local, state and federal programs that aid in protecting public and private property from the damage that results from natural hazard events. Alderman Mashburn said how do the police and fire departments fit in? Mr. Cabe said they are part of a recovery plan which is written in another plan. He said the projects listed for the Town of Franklin are the following: (1) to protect the bridge from debris coming downstream during flood events, (2) to protect the sewer treatment plant from flood damage by erecting a concrete flood wall around the plant, (3) to increase the size/capacity of the water treatment plant, (4) to develop a new water source or build a new water treatment plant and (5) to purchase tub grinder for the disposal of storm debris. Bobby Key said if the Town adopts this multi-jurisdictional plan will it oblige the Town to do anything? Mr. Cabe said no. **Motion was made by Scott, seconded by Curtis to adopt the Resolution for a Hazard Mitigation Plan. Motion carried. Vote: 6 to 0. A copy of the resolution is attached.**

### **Consideration of site plan for multifamily development – Terry Bowling**

Steve Philo said I am here representing Terry Bowling and Mark Kresal. Mike Decker said I have reviewed the plans for Talking Trees. A copy of the plans is attached. He said it calls for thirty-three town houses. Mr. Decker said one minor concern is that the gazebo is located in the buffer zone. He said the parking spaces are okay. Bobby Key said is there drainage plans? Ben West said yes but they are not included in these plans. Alderman Scott said what is the source of the pond? Ben West said the pond will be used for sedimentation. Alderman Curtis said there will be additional traffic on Wilkie Street. Jay Gibson asked what about water and sewer? Steve Philo said we will be needing 7,900 gallons per day. **Motion was made by Mashburn, seconded by Williamson to give tentative approval on the preliminary plans. Motion carried. Vote: 6 to 0.**

**August 2, 2004 meeting continued,**

**Update on room occupancy tax legislation**

Mike Decker said the room occupancy tax has passed. He said we need to discuss what we want to do. Alderman Curtis said I would like to do a survey of the lodging places. He said I will talk to them personally. Mayor Collins said we will be using the money for activities to bring people into town. He said we need to use this source of money instead of tax dollars. Alderman Curtis said the motel owners do not understand that we will be using the three percent tax to promote events that will bring people into town. He said I would like to get their input. Mayor Collins said we could do a public hearing and make an educational presentation.

**Recess**

Mayor Collins recessed the meeting at 8:32 P.M.

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

**Report from town planner interview committee**

Mike Decker said Alderman Curtis, Alderman Hall, Alderman Williamson and I met and have narrowed the list of candidates for the town planner/codes administrator position down to five. He said we plan to start interviewing these five candidates starting this week and we will come back with a recommendation.

**Consideration of adding Panorama Drive to the town's street system**

Mike Decker said we have a petition requesting that Panorama Drive be added to the town's street system. A copy of the petition is attached. **Motion was made by Williamson, seconded by Hall to add Panorama Drive to the town's street system. Motion carried. Vote: 6 to 0.**

**Consideration of resolution in support of Amendment One: Self-Financing Bonds**

Mike Decker said self-financing bonds are an economic development tool that can be used to finance public improvements such as streets, water and sewer service, sidewalks, etc. He said Amendment One will be on the November 2nd ballot. He said the North Carolina League of Municipalities is asking towns to pass a resolution in support of these self-financing bonds. A copy of the information is attached. Mayor Collins tabled a decision on this item until the September meeting.

**August 2, 2004 meeting continued,**

**Additional departmental and committee reports**

Alderman Williamson said Bidwell Street has been repaved. He said when Rhodes Brothers did the milling they got down to the gravel. He said to even up the road they had to put an extra layer of asphalt over the gravel. Alderman Williamson said the additional cost was \$9,211.20. He said we will put a center line on the street at a later date. **Motion was made by Williamson, seconded by Roper to increase the quote in the amount of \$9,211.20. Motion carried. Vote: 6 to 0.**

Alderman Curtis said there has been a little trouble on Forest Avenue. He said the police needs to increase their presence in this area. Mayor Collins said I will talk to Chief Bradley about this matter.

Alderman Scott said we have an abandoned vehicles ordinance in place. He said there are eight to ten abandoned vehicles on Forest Avenue. He said we also have a nuisance ordinance. Alderman Scott said one suggestion would be for the fire chief to help enforce these ordinances when a health or safety issue is involved.

Alderman Curtis said what is the status of the Beale construction project? Mayor Collins said if the building crushes the sewer line we would need to replace the line. He said we can do it piecemeal or part of a larger project. He said legally Mr. Coward can continue to build at his own risk. Jay Gibson said we can reroute the sewer line when we get the easements. Mayor Collins said should we move the line now or tie it into a larger project? Jay Gibson said we should work it into a larger project. Mike Decker said we have the North Carolina Department of Transportation's verbal permission for an encroachment for the line.

Alderman Curtis said I would like to rename Depot Street Extension to Veteran Memorial Highway in honor of the veterans. The Board asked Mike Decker to talk to the North Carolina Department of Transportation about renaming the street.

Bobby Key said Orville Coward has prepared a proposed easement for the sewer line on his property at Depot Street Extension. After some discussion, the Board asked Mr. Key to work on revising the proposed easement.

Bobby Key said I have been checking on you giving a donation to the Macon County Public Library. He said you can spend money outside the town limits if it is for a public purpose. Mr. Key said money spent for libraries is considered a public purpose. He said also you could enter into a contract with Macon County for a joint undertaking.

Mike Decker said I have a quote from Ronnie Beale for \$4,410.00 for the damages caused by the vehicle accident in our parking lot on July 20, 2004. He said I have given this information to the police department and to our insurance company.

**August 2, 2004 meeting continued,**

Mike Decker said Janet Anderson will be sworn in for a one-year term as president of the North Carolina Association of Municipal Clerks at their annual meeting on August 14, 2004.

Mike Decker said the regular meeting for September will be on Tuesday, September 7, 2004 due to the Labor Day holiday.

Mike Decker said we have a rezoning request from Robert and Sylvia Parker on the Highlands Road. He said they are requesting the remaining portion of their property be rezoned from residential to business. **Motion was made by Williamson, seconded by Curtis to pass on this rezoning request to the Planning Board for a recommendation. Motion carried. Vote: 6 to 0.**

**Water adjustments, tax releases, tax discoveries and payment of the bills**

**Water adjustments for July and payment of the bills were approved on motion made by Scott, seconded by Curtis. Motion carried. Vote: 6 to 0. A copy is attached.**

**Closed session regarding the purchase of property**

**The Board went into closed session at 9:12 P.M., on motion made by Curtis, seconded by Williamson to discuss a possible property purchase. Motion carried. Vote: 6 to 0.**

**The Board came out of closed session at 10:09 P.M. and voted to seal the closed session minutes, on motion made by Curtis, seconded by Scott. Motion carried. Vote: 6 to 0.**

No action was taken.

**Adjournment**

Mayor Collins adjourned the meeting at 10:10 P.M.

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Joe Collins, Mayor

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Janet A. Anderson, Town Clerk

