

Town of Franklin Board of Aldermen  
Agenda  
Monday, December 6, 2010  
7 p.m.

1. Call to order – Mayor Collins
2. Approval of the October 28 and November 1, 2010 minutes
3. 7:05 p.m. – Public hearing on involuntary annexation
4. Public session
5. Presentation of flag by John Vanhook
6. Discussion regarding minimum housing code – Town Attorney
7. Discussion regarding comprehensive billing and collection system – Town Attorney
8. Forward special use application for Fitch Development Apartment Complex to the planning board
9. 2011 Town Board Regular Meeting Schedule
10. Consideration of the 2011 Holiday Schedule
11. Continue meeting until Monday, December 20 at 5:30 p.m.

Monday, December 20, 2010 - 5:30 p.m.  
(continuation of the December 6 regular meeting)

1. Call to order – Mayor Collins
2. Consideration of ordinance to amend the Extraterritorial Jurisdiction (ETJ) and establish initial zoning district classifications
3. Consideration of ordinance to extend the corporate limits
4. Adjourn

**December 6, 2010**

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, December 6, 2010 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Jerry Evans, Billy Mashburn, and Bob Scott were present. Aldermen Joyce Handley and Carolyn Pattillo were absent.

**Board members absence**

**Motion was made by Curtis, seconded by Evans to excuse Alderman Carolyn Pattillo from the meeting due to being on vacation. Motion carried. Vote: 4 to 0.**

**Motion was made by Evans, seconded by Curtis to excuse Alderman Joyce Handley from the meeting due to medical reasons. Motion carried. Vote: 4 to 0.**

**Approval of the minutes**

**Motion was made by Scott, seconded by Curtis to approve the minutes for the October 28, 2010 meeting as presented and the November 1, 2010 meeting with the following change: complaint driven. Motion carried. Vote: 4 to 0.**

**Public session**

Keith Rowland – The forced sewer main is permitted in Sam Greenwood’s name. The line is going across my property and my father’s property. We did not give an easement. The line is too close to my well. Mayor Collins said we will look into this matter. Sam Greenwood said the permit was given while I was county manager. He said the county has operating control over this project. He said the county is using public right of way which is allowed. Mr. Greenwood said the county is administrating the project. He said the Town has no oversight over this project. Mayor Collins said we will pass this information onto the county.

**Public hearing on involuntary annexation**

Mayor Collins opened the public hearing on the involuntary annexation at 7:10 P.M. The following persons spoke at the public hearing.

Michael Grubermann – Land Use Administrator – The properties that are being considered for annexation are commercial, surrounded or already partially annexed. All property owners have been notified as required.

William Roten – Womack Street – Your map shows my property being inside town. The map is wrong. My property is not inside town. I am in opposition of the annexation. According to state statutes the map needs to be correct. If the map is not correct, the annexation is null and void. I do not agree with the Town’s ordinances.

## **December 6, 2010 meeting continued,**

Ray Rogers – 232 Sloan Street – You have to give services inside town within a certain time limit. I am not paying taxes to the town. I do not want to be inside Town.

Bill Jamison – 108 Golfview Drive - I am partially inside town now. I cannot get help with my fire hydrant on my property. I have approached three aldermen about this problem. You need to take care of the residents already inside town before adding to the current boundaries. A picture of the fire hydrant is attached.

Charlie Cowie – I do not live inside town. My property is not being considered. You need to consider the economy first. You need to use good judgment. We cannot afford additional taxes.

Paul Byrd – Tennessee View Street – Part of my property is inside town. My tax bill will go up three times.

J. C. Muniz – Womack Street – Times are bad. It is tough for me. I have two little girls.

Mayor Collins closed the public hearing at 7:42 P.M.

### **Recess**

Mayor Collins recessed the meeting at 7:43 P.M.

Mayor Collins reconvened the meeting at 7:48 P.M.

### **Christmas lights**

Mayor Collins said citizens are questioning why there are no Christmas lights on Wayah Street. Sam Greenwood said the outlets are not in working order on Wayah Street. Alderman Evans said we need lights in other areas besides Main Street. Alderman Scott said Main Street is beautiful. He said however I agree with Alderman Evans we need to have lights in other areas.

### **Presentation of flag by John Vanhook**

Mayor Collins said John Vanhook may be able to come later to the meeting to present the flag.

**December 6, 2010 meeting continued,**

**Discussion regarding minimum housing code**

John Henning, Jr. said the purpose of this code is to protect the health of the residents and to protect their property. Alderman Scott said is this code for a person's residence or for rental property? Mr. Henning, Jr. said it would be for both. Mayor Collins said I think there are three issues. He said these are: (1) trashy yards, (2) abandoned houses and (3) square footage per rooms. Alderman Evans said it would be okay for rental properties but not private residences. Alderman Mashburn said we need to talk about it. He said our only recourse now is to go through the health department when there is a health issue. Alderman Curtis said we need this code in place. Mayor Collins said we need to get suggestions from the public. Mr. Henning said I will do revisions on the code.

**Discussion regarding comprehensive billing and collection system**

John Henning, Jr. said we need to change our practices with the utility billing. He said non-payment is becoming a problem. He said these issues are for discussion at this time. He said you may want to increase the water deposits for new accounts. He said we do not charge deposits to homeowners at this time. He said I have talked to Jessie Collier about doing credit checks on new customers. He said it may be necessary to charge a higher deposit for some customers. Mr. Henning said I will get a summary of the delinquent accounts for the next meeting.

**Forward special use application for Fitch Development Apartment Complex to the planning board**

**Motion was made by Scott, seconded by Evans to forward special use application for Fitch Development Apartment Complex to the planning board for a recommendation. Motion carried. Vote: 4 to 0.**

**2011 Town Board Regular Meeting Schedule**

**Motion was made by Evans, seconded by Mashburn to approve the regular meeting schedule for 2011. Motion carried. Vote: 4 to 0. A copy of the schedule is attached.**

**Consideration of the 2011 Holiday Schedule**

**Motion was made by Mashburn, seconded by Evans to approve the 2011 Holiday Schedule. Motion carried. Vote: 4 to 0. A copy is attached.**

**December 6, 2010 meeting continued,**

**Continuation of meeting**

**At 8:20 P.M., motion was made by Mashburn, seconded by Evans to continue the December 6, 2010 meeting until Monday, December 20, 2010 at 5:30 P.M. Motion carried. Vote: 4 to 0.**

**Call to order of the December 6, 2010 continuation meeting**

The regular December 6, 2010 meeting of the Town of Franklin Board of Aldermen was continued at 5:30 P.M., Monday, December 20, 2010 in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Jerry Evans, Joyce Handley, Billy Mashburn and Bob Scott were present. Aldermen Verlin Curtis and Carolyn Pattillo were absent.

**Board members absence**

**Motion was made by Handley, seconded by Evans to excuse Alderman Curtis and Alderman Pattillo due to medical reasons. Motion carried. Vote: 4 to 0.**

**Consideration of ordinance to amend the Extraterritorial Jurisdiction (ETJ) and establish initial zoning district classifications**

**Motion was made by Scott, seconded by Handley to adopt the Extraterritorial Jurisdiction ordinance and to establish the initial zoning district classifications for the extended ETJ. Motion carried. Vote: 3 to 1. Voting yes: Handley, Mashburn and Scott. Voting no: Evans. A copy of the ordinance is attached.**

**Consideration of ordinance to extend the corporate limits**

Mayor Collins said I think we should leave out the five parcels on Womack Street that was shown incorrectly on the map. He said the ordinance can be adjusted. Michael Grubermann said these parcels can be annexed into town. John Henning, Jr. said the error in the map does not stop the Board from annexing these parcels into town. He said they are still eligible for annexation. Alderman Mashburn said the basic map was wrong. He said I would like to take out those parcels for now because of the error in the map. He said I also have problems with annexing the bowling alley because of the increase in the number of law enforcement calls. Alderman Handley said we need to be in compliance. Alderman Evans said I agree with Alderman Mashburn. Alderman Scott said if we leave out the bowling alley property that would cause a gap. He said there will be a lot of calls for police to the bowling alley. Sam Greenwood said John Henning, Jr. needs to do the wording on the motion if you decide to leave out the five parcels on Womack Street.

December 6, 2010 meeting continued,

Motion was made by Handley, seconded by Mashburn to adopt the ordinance to extend the corporate limits of the Town, with the exception of the following five parcels which are not to be included in the areas annexed, and with the direction to the Town Planner to remove the said parcels from the areas described in the ordinance:

PIN	Tax ID	Name	Address
658467205	0151924	Marcus Hughes	625 Womack Street
6584672427	0101762	Melinda Conley	609 Womack Street
6584670245	0100922	Jean Carlos Muniz	578 Womack Street
6584670183	0104603	Elmer Roten	574 Womack Street
6584660998	0104607	William A & Cynthia Dianne Roten	530 Womack Street

Motion carried. Vote: 4 to 0. A copy of the ordinance is attached.

**Other business**

Departmental reports are attached.

**Adjournment**

Motion was made by Evans, seconded by Mashburn to adjourn the meeting at 6:03 P.M.  
Motion carried. Vote: 4 to 0.

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Joe Collins, Mayor

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Janet A. Anderson, Town Clerk