

November 1, 2004 meeting,

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, November 1, 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 Hall, seconded by Williamson to approve the minutes for the October 4, 2004, October 18, 2004 and October 28, 2004 meetings with the following correction to the October 4, 2004 meeting: Alderman Scott said I have an objection because there is no definition of sexually oriented business. Motion carried. Vote: 6 to 0.

Persons to be heard

Tommy Nicholson said there is a restriction of Crawford Branch on the Stamey property. He said my father has lived on West Main Street since 1956 and this is the only time in forty eight years that he had water to his car port. He said on the night of the storm there was two feet of water on his car port. Mr. Nicholson said it lacked only two inches from being in his house. He said the headwall has caused a dam of the branch. He said my parents had to replace their furnace and freezer and other items in the storage building. He said my mother sets the clock for every hour to check on Crawford Branch when it rains. Mr. Nicholson said a survey has been done indicating two four foot culverts and bridge would work. He said we have talked to the American Legion. He said Mike Breedlove, Verlin Curtis and my dad went to an executive board meeting and they indicated they had no reason to change anything. He said they said that the Corps of Engineers had given them a permit and that they had followed everything to the letter. He said we have tried to work with them. He said they have been issued three different violations. He said one may require them to remove the culvert. Mr. Nicholson said on the Stamey property there may be a larger culvert than the permit allows. He said the solutions to the problem would be to get an engineering company to do a ten year study of the flooding or removal of the culverts entirely. He said I have copies of letters, violations, etc. for your information. Copies are attached. Alderman Scott said I am in complete agreement with you. He said I got the run around from everybody. He said I have determined nobody has looked at this at all. Alderman Curtis said the Corps of Engineers gave them the go ahead. Mayor Collins said I am not sure we have anything in place to address this problem. He said I am planning to meet with Sam Greenwood and Josh Ward about the enforcement of the Sedimentation Ordinance. He said we may be able to enforce these violations that way. Alderman Williamson said we can invite Forrest Westall with the Division of Water Quality to come and look at the problem. Mayor Collins said we need to work together with you on this problem. Gail Young said I have lived on West Main Street for thirty-one years. She said we have never had flooding to this degree before now. She said the first pipe could not carry the load of the water. She said we need to look at the growth occurring on West Main Street. Mrs. Young said the Church of God is doing a huge building which will cause more runoff. She said the water closed the street between Gaston Street and Philo & Spivey law offices. She said the manholes overflowed that

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night. She said the culverts need to be removed or enlarged. Bill Nicholson said I want to thank the Town for coming out with the backhoe that night. He said the headwall is higher than the bridge. Richard Young said Josh Ward should be enforcing the Sedimentation Ordinance since we pay county taxes. Mayor Collins said we need to find out if he has the authority.

Consideration of banner arms for town decorative street lights and light poles – Janet Jacobs Greene

Janet Jacobs Greene said I have brought you a lease agreement from Duke Power for the arms on the street lights. She said the cost is \$10.00 per pole for ten years. She said there are one hundred poles and the total cost would be \$1,000.00. Mrs. Greene said the bracket sets would cost \$70.00 per pole for a total cost of \$7,000.00. She said the Town would need to supply the labor to do this project. Alderman Curtis said we can take \$8,000.00 out of the \$25,000.00 budgeted for the celebration since you only asked for \$16,000.00 previously. **Motion was made by Mashburn, seconded by Curtis to use \$8,000.00 out the \$25,000.00 budgeted for the celebration with the town crew doing the labor and to sign the lease agreement with Duke Power. Motion carried. Vote: 6 to 0.**

Presentation regarding extension of franchise agreement with J&B Disposal – Bonita Hamstra

Bonita Hamstra said I am asking for an early extension of the franchise agreement for an additional five years. She said I need to purchase some high dollar equipment soon and I need an extension before I commit the money. A copy of the letter is attached. Alderman Scott said you give excellent service. Bobby Key said you will need to vote on this agreement at two different meetings. **Motion was made by Scott, seconded by Curtis to extend the franchise agreement with J&B Disposal for an additional five years. Motion carried. Vote: 6 to 0.**

Mrs. Hamstra said I need to increase the commercial service rate to \$2.60 per yard from \$2.15 per yard due to the increased cost of operational expenses. A copy of the letter is attached. **Motion was made by Williamson, seconded by Hall to increase the commercial rate to \$2.60 per yard. Motion carried. Vote: 6 to 0.**

Departmental reports

Fire Chief Pete Haithcock gave the fire department report. A copy of the report is attached. He said 1,200 persons attended the Boo Bash this year. He said the fire department annual Christmas party will be on December 6, 2004. **Motion was made by Curtis, seconded by Williamson to give the \$100.00 Christmas bonus to the members of the Franklin Fire Department. Motion carried. Vote: 6 to 0. Motion was made by Scott, seconded by Hall to have a special meeting on December 7, 2004. Motion carried. Vote: 6 to 0.**

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Public Works Director Jay Gibson reported the following: (1) that Clover Lane is ready to be paved and (2) the Baird Cove sewer line and the Town Mountain sewer line are almost complete.

Mr. Gibson said I have a quote from Dover Insulation, Inc. for the labor and material to replace the pipe insulation on the water main over the Little Tennessee River damaged during Hurricane Ivan. A copy of the proposal is attached. **Motion was made by Curtis, seconded by Williamson to accept the proposal from Dover Insulation, Inc. in the amount of \$5,496.00 to replace the insulation. Motion carried. Vote: 6 to 0.**

Mr. Gibson said I have a proposal from Appalachian Tree and Crane, Inc. to remove some trees from Panorama Drive in the amount of \$5,400.00. A copy of the proposal is attached. Alderman Scott said the price may be too high. **After some discussion, motion was made by Williamson, seconded by Roper to accept the proposal from Appalachian Tree and Crane, Inc. in the amount of \$5,400.00 to remove some trees on Panorama Drive. Motion carried. Vote: 6 to 0.**

Mr. Gibson said I have a proposal from Denny's Backhoe Service to widen Panorama Drive for \$1,300.00 per day. A copy of the proposal is attached. Mayor Collins said we need to get other bids. Alderman Mashburn said Denny always does a good job. Alderman Williamson said we can table this until the meeting on Monday night, November 8, 2004 and get other proposals.

Jay Gibson said I have three proposals from Ken Nash to install equipment controlling the pumps for the East Franklin tank, Wilkie Street tank and the Hemlock tank. A copy of the proposal is attached. Mayor Collins said what are the benefits? Mr. Gibson said it will save treated water spillage. Mayor Collins said we need to get advice from Joel Storrow and talk to other vendors. Alderman Mashburn said we don't need to drag this out too long. Mr. Gibson said Ken Nash has already done work for us. Alderman Mashburn said we don't need two or three different providers. He said we can call Joel Storrow for his opinion on this proposal. **Motion was made by Mashburn, seconded by Curtis to approve the proposal for the East Franklin tank in the amount of \$6,125.00 and the proposal for the Hemlock tank in the amount of \$5,975.00 with Joel Storrow's approval. Motion carried. Vote: 6 to 0.**

Police Chief Terry Bradley gave the police department report. A copy is attached. He said the police department Christmas dinner will be on December 9, 2004 at the Boiler Room. He said Halloween went well. He said I have a holiday proposal for the police department. He said the police have not been using their holidays and have been accruing the holidays. He said I am proposing in the future that we pay the police for the holiday instead of giving them comp time. Chief Bradley said officers who have accrued holidays would be given an eighteen month grace period to use these holidays with any remaining holidays being credited to their sick leave. A copy of the proposal is attached. **Motion was made by Scott, seconded by Hall to adopt the holiday policy for the police department as proposed by Chief Bradley effective Veteran's Day, November 11, 2004. Motion carried. Vote: 6 to 0.**

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Recess

Mayor Collins recessed the meeting at 8:10 P.M.

Mayor Collins called the meeting back to order at 8:15 P.M.

Update on Neighborhood Mixed Use zoning district

Mike Decker said the following changes were made to the proposed Neighborhood Mixed Use zoning district: (1) change name to “Neighborhood Mixed Use District”, (2) delete #4 – real estate offices, (3) take out dry cleaning, (4) add number of hours of operation allowed – 7 am – 9 pm, (5) add “category shall include, but not be limited to, the following”, and (6) add grocery and convenience stores with petroleum dispensing. A copy is attached. He said you can do the following: (1) study the proposal, (2) schedule the public hearing for the text changes or (3) have the Planning Board study and recommend proposed areas for consideration under this zoning district. He said Jeff Fischbach said it would be easier to work on one area at a time. Alderman Williamson said we need to work on the text change first. Mayor Collins said we can do a public hearing at the December meeting on the text change. **Motion was made by Curtis, seconded by Williamson to have the public hearing at the December meeting on the proposed Neighborhood Mixed Use zoning district. Motion carried. Vote: 6 to 0.**

Request to have the town take over maintenance on remaining portion of Tennessee View Street

Mayor Collins said Dale Sonnabend has asked us to take over the right fork of Tennessee View Street. He said the street needs work. Alderman Williamson and Alderman Roper agreed to look into this matter and report back to the Board at the meeting scheduled for November 8, 2004.

NCDOT Informal Public Hearing on proposed improvements to Riverview Street, NC 28

Mike Decker said the North Carolina Department of Transportation will be having a public hearing on planned improvements to Riverview Street and NC 28 on November 4, 2004 at the Community Facilities Building from 4:00 to 7:00 P.M.

Schedule called meeting for Monday, November 8 to discuss property acquisition plans

The Board scheduled a called meeting for Monday, November 8, 2004 at 7:00 P.M.

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Additional departmental and committee reports

Alderman Scott said we are getting no revenue from billboards. He said we should charge for each billboard. He said we need rules about where signs can go.

Alderman Williamson said I have the following quotes on paving Clover Lane: (1) Apac - \$10,707.00, (2) Higdon Construction Co. - \$9,150.00 and (3) Rhodes - \$7,519.00. Copies of the quotes are attached. **Motion was made by Williamson, seconded by Hall to accept the quote from Rhodes Bros Paving, Inc. in the amount of \$7,519.00 to pave Clover Lane. Motion carried. Vote: 6 to 0.**

Alderman Williamson said we need to get a new vehicle for Mike Decker and we can hand his old vehicle down to the new employee. The Board agreed that Alderman Williamson could get some quotes on a new vehicle.

Alderman Mashburn said I want to commend Alderman Scott on his picture being put in the North Carolina League of Municipalities 2005 calendar.

Janet Anderson gave a quarterly budget report to the Board. A copy is attached.

Mike Decker said we received a letter from Bill Roark with McGill Associates requesting water and sewer allocations on behalf on Macon County for Building 1 on the new Southwestern Community College campus and the new Macon County Library. Mr. Decker said they are requesting a combined total of 6,800 gallons per day. A copy of the letter is attached. **Motion was made by Mashburn, seconded by Williamson to approve the allocation of 6,800 gallons per day. Motion carried. Vote: 6 to 0.**

Mike Decker said I have a quote from Corbin and McMahan to replace the heat pump on my side of the town hall building. He said the quote for \$3,000.00 would be the best option. A copy of the quote is attached. **Motion was made by Mashburn, seconded by Williamson to approve the quote for \$3,000.00 with Corbin and McMahan to replace the heat pump. Motion carried. Vote: 6 to 0.**

Mike Decker said the Town's holiday schedule is as follows: Thursday, November 11, 2004 for Veteran's Day; Thursday and Friday, November 25 and 26, 2004 for Thanksgiving; Thursday, Friday and Monday, December 23, 24 and 27, 2004 for Christmas and Friday, December 31, 2004 for New Year's Day.

Mayor Collins said I recently attended an event in support of the Peeks Creek victims. He said I owe \$100.00 to "For Them Foundation" for this event. **Motion was made by Williamson, seconded by Curtis to pay the \$100.00 for Mayor Collins. Motion carried. Vote: 6 to 0.**

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Water adjustments and payment of the bills

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

Adjournment

Mayor Collins adjourned the meeting at 8:53 P.M.

Joe Collins, Mayor

Janet A. Anderson, Town Clerk