

**November 7, 2005**

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, November 7, 2005 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 Curtis, seconded by Williamson to approve the minutes for the October 3, 2005 meeting as presented. Motion carried. Vote: 6 to 0.**

**Public hearing on Charles T. and Wendy Dalton petition for rezoning**

Mayor Collins opened the public hearing on the Charles T. and Wendy Dalton rezoning petition at 7:03 P.M. Mike Decker said part of the Dalton's property on West Main Street is already zoned business. He said the Planning Board's recommendation is to rezone the remaining portion to business as was requested. No other persons were present to speak at the public hearing. A copy of the staff report is attached. **Motion was made by Williamson, seconded by Scott to close the public hearing at 7:05 P.M. Motion carried. Vote: 6 to 0.**

**Consideration of rezoning**

**Motion was made by Williamson, seconded by Roper to accept the Planning Board's recommendation and rezone the remaining portion of the Charles T. and Wendy Dalton property to business. Motion carried. Vote: 6 to 0. A copy of the rezoning request is attached.**

**Persons to be heard**

Hal Chapman said I want to thank Jack Mason and Gerald Roper for their help during Pumpkinfest. He said we rolled two hundred ninety seven pumpkins down Phillips Street. He said I am working on Window Wonderland. He said it will be held on December 2<sup>nd</sup> and December 9<sup>th</sup>, 2005 from 5 – 8 P.M. He said I have the following requests: (1) lights on in the gazebo, (2) rest rooms opened and stocked in the Burrell Building and at the courthouse, (3) block off Iotla Street in front of the gazebo to the bank at 4:30 P.M. and (4) suspend parking on Main Street from the Burrell Building to Macon Bank and regulate traffic along Main Street from 4:30 P.M. to 8:00 P.M. A copy is attached. The Board agreed to these requests.

Kathleen Costa said you have shut down my business after issuing me a privilege license for three years. She said I talked to Lori Smith. She said I know I have not been reported by another dog groomer. She said I have paid taxes on every dime I earned. Ms. Costa said it is their error. She said I am going to win. She said I want my business back. Mayor Collins said we will have to talk to your lawyer.

## **November 7, 2005 meeting continued,**

Barry Hedden said I am with Ferguson Enterprises. He said we are planning to build at the corner of Cat Creek Road and Cunningham Road. He said we are requesting a water and sewer allocation of 500 gallons per day. The Board said you need to work with Jay Gibson.

Mark Nowicki said I am developing my property north of town near the Village Trader. I said I am asking for a sewer allocation of 5,410 gallons per day for this development. A copy of the letter is attached. Alderman Curtis said this request has not been discussed yet. Mayor Collins said the Water/Sewer Committee will look into this request.

Larry Stenger said the Volunteer Resource Center has offered its services as an umbrella for the Sister City Program. He said we are asking the Town to give us office space in the Burrell Building. He said we just need a small area for a desk, chair and computer. A copy of the letter is attached. Mike Decker said the large area on the left side is open. He said one inside office is used to store items. Mayor Collins said we could let them be there month to month. Alderman Scott said it needs to be understood that this space is temporary. **Motion was made by Scott, seconded by Mashburn to allow the Volunteer Resource Center on a temporary basis to use the Burrell Building for office space. Motion carried. Vote: 6 to 0.**

### **Trip to Bayou La Batre**

Bob Poindexter said we are collecting money, food, cleaning supplies, coats and jackets for the citizens of Bayou La Batre. He said we are planning to go there for Christmas. He said you may want to help. He said we want to take Christmas to them. He said the plans are for us to go on December 9<sup>th</sup> and December 10<sup>th</sup>. He said Blue Ridge and Shane Corbin are planning to go. He said the plans are for us to take gifts to five hundred children. He said we are asking for financial support. Mayor Collins said there are a couple of needs. He said Blue Ridge needs \$1,000.00 for fuel for their bus and Shane Corbin needs help with the food. He said I think we need to help in defraying the cost of this trip. He said we could give \$1,000.00 for the fuel and \$2,500.00 for the food. Bobby Key said I am not sure you can use taxpayers' money. He said you have to benefit the taxpayers of the Town. He said there may be a loop hole I don't know about. **Motion was made by Scott, seconded by Williamson to give up to \$3,500.00 for Christmas at Bayou La Batre if the Town can legally do this expenditure (Town Attorney Bobby Key to give a written opinion) and with a strict accounting of the money for this purpose. Motion carried. Vote: 6 to 0.**

### **Recess**

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

Mayor Collins called the meeting back to order at 8:02 P.M.

November 7, 2005 meeting continued,

**Update on Wide Horizon Drive water extension – Terry Dalton**

Terry Dalton said I need the mayor to sign the forms to be sent to the State for my water line extension on Wide Horizon Road. He said the project is 5,250 feet of six inch water line to serve my development. A copy of the letter is attached. Alderman Curtis said we could pay the difference between the cost of a six inch water line and an eight inch water line. He said the cost would be between \$12,000.00 and \$15,000.00. **Motion was made by Williamson, seconded by Curtis to increase the size of the water line from six inch to eight inch with the Town paying the difference of the cost of the size and to forward the engineering plans on to the state after approval from Jay Gibson and the Water/Sewer Committee. Motion carried. Vote: 6 to 0.**

**Request for water allocation – Bud Haley**

Bud Haley said I need a water and sewer allocation for my development off Highway 28. He said I am willing to pay whatever it will cost me. He said I may be able to hook on to the water line at Arthur Drake Road. He said I want my property annexed into Town. Jay Gibson said I don't know if there is enough capacity at Arthur Drake Road. Mr. Haley said the county is going to build a school in this area. He said they may be willing to help me on the cost of the line from Hurst Circle. Mr. Haley said the development will have one hundred twenty units along the lines of Rolling Acres Mobile Home Park. Alderman Scott said I have a problem with there being too great of density for the property. He said if there was a natural disaster there would be a lot of deaths. Mr. Haley said I cannot make a profit with fewer units. Alderman Scott said who has ownership of Rolling Acres? Mr. Haley said I own part of it and I have sold some of the lots. Alderman Scott said there are too many people and structures on that amount of property. Mr. Haley said the development has been designed to meet all the setbacks required by the Town of Franklin. Alderman Williamson said I am not sure there is enough water pressure at Arthur Drake Road. He said you may have to come from the twelve inch water line at Hurst Circle. He said it may be five years down the road before the school is built. Alderman Mashburn said Jeff Bishop is going to give us some information on the water lines in this area. Mayor Collins said we do not have engineering plans yet. Alderman Scott said there is no where for the water to go during storms. Mayor Collins said the Board is not sure what to do at this time. He said we will take this request under advisement.

**Request for voluntary annexation – Derrick and Rosemary Wong**

**Motion was made by Williamson, seconded by Hall to direct the town clerk, Janet Anderson to investigate the sufficiency of the petition received from Derrick and Rosemary Wong. Motion carried. Vote: 6 to 0. Copies are attached.**

November 7, 2005 meeting continued,

**Request for voluntary annexation – Tim and Carol Bates**

**Motion was made by Mashburn, seconded by Curtis to direct the town clerk, Janet Anderson to investigate the sufficiency of the petition received from Tim and Carol Bates and to ask the Planning Board for a recommendation of initial zoning of this property. Motion carried. Vote: 6 to 0. Copies are attached.**

**Departmental reports**

Fire Chief Pete Haithcock gave the fire department report. A copy of the report is attached. He said the Christmas dinner for the fire department will be on December 5, 2005 at 7:00 P.M. at Tartan Hall which is on the night of the regular meeting.

**Motion was made by Scott, seconded by Mashburn to have a special meeting on December 6, 2005. Motion carried. Vote: 6 to 0.**

Public Works Director Jay Gibson said the West Main Street water line has been progressing well. He said all the tie ins have been done. He said the company where we get our radio read meter program is no longer in business. He said I would like to go with Carolina Meter for our radio read program. **Motion was made by Curtis, seconded by Scott to go with the radio read program with Carolina Meter. Motion carried. Vote: 6 to 0. Information copies are attached.**

Police Chief Terry Bradley gave the police department report. A copy of the report is attached. He said we have had a request to make Mill Street one way west bound. Alderman Williamson said I don't think that would be a good idea.

Rebecca Crawford said in October I had a total of one hundred fourteen walk-in visits or phone calls. She said I have been doing a land use inventory on Harrison Avenue. A copy of the report is attached. She said I have done a follow up visit on the property at 76 Hillcrest Avenue. She said the property is still a public health nuisance. Mayor Collins said why don't we move on this matter. He said we can bill them the cost of the cleanup. Bobby Key said the Board will have to decide to back the enforcement. He said you will have to spend money defending your actions. Alderman Curtis said we should do it and bill them the cost. Jay Gibson said we will need the police to go with us. Alderman Scott said the fire department chief needs to go also since there may be some fire hazards. **Motion was made by Mashburn, seconded by Curtis to go ahead and clean up the property at 76 Hillcrest Avenue and bill the property owner the cost of the cleanup. Motion carried. Vote: 6 to 0.** Mrs. Crawford said I am working with the Streets of Franklin on the Main Street Program application. She said it has been suggested that the town and county planning boards have a joint meeting. She said there was a comprehensive update to the planning, zoning and subdivision laws during the recent legislative session. A copy of the list of changes is attached.

**November 7, 2005 meeting continued,**

**Additional departmental and committee reports**

Janet Anderson explained to the Board the status of the water/sewer allocations. A copy of the report is attached.

Mike Decker said the town attorney revised the lease agreement with D&L Body Shop to an annual lease. He said Mr. Lee O'Donnell has asked the Board to start the lease on November 1, 2005 to October 31, 2006. He said the Town would receive no rent for April through October, 2005. Board instructed Mike Decker to tell Mr. O'Donnell that the lease would start in April 2005.

Mike Decker said we have a proposed job description and advertisement for the Main Street coordinator position. He said I would like authorization to advertise the position. He said this would be a contract employee with no benefits. Alderman Mashburn said who are they responsible to? Mr. Decker said they would answer to the Town and to the Streets of Franklin. Alderman Scott said the downtown area needs to be defined. Mr. Decker said that is still open at this time. The Board approved the advertisement of the position. A copy is attached.

Mike Decker said our property and general liability representative is recommending that the Town adopt a number of formal policies and procedures as they relate to personnel. He said I would like to discuss these matters once the new board has been sworn in.

Mike Decker said the deadline for the RFQ for the proposed zoning code revision is Thursday, November 10, 2005.

Mike Decker said Ronnie Beale, Chairman of the Macon County Planning Board has expressed interest in working together with the Town's Planning Board on future planning.

Mike Decker said Rebecca Crawford and I will be attending a meeting on floodplain mapping on Thursday, November 10, 2005.

Mike Decker said please remember the Veteran's parade on Friday, November 11, 2005 at 11:00 A.M.

Alderman Mashburn said questions have come up when we get allocation requests for water and sewer service. He said if we want to look at other factors when considering allocations we need something on the books. He said we need something in writing concerning density.

Alderman Williamson said we have a quote from Tim Bates to replace the sidewalk west of Rankin Square in the amount of \$10,800.00. **Motion was made by Williamson, seconded by Curtis to accept the quote from Tim Bates in the amount of \$10,800.00. Motion carried. Vote: 6 to 0. A copy of the quote is attached.**

**November 7, 2005 meeting continued,**

Alderman Williamson said we need to pave an additional one hundred fifty feet of North Womack Street. He said we will need to get three easements from the property owners.

Alderman Curtis said we have ordinances in place. He said we have to go by what is in place now when considering allocations. He said we may need to do some changes to our ordinances in the future.

Alderman Roper said the sidewalk on Wayah Street needs to be looked at and replaced. He said what is the status of the grant for sidewalks on Forest Avenue? Mike Decker said the plans are in Raleigh for approval.

Alderman Scott said I agree with both Alderman Mashburn and Alderman Curtis we need some additional rules in place. He said there will be problems with high density and we will inherit these problems in the future.

Alderman Mashburn said we need easements on Depot Street for the High Unit Cost Sewer Line. Bobby Key said we will have to determine where the line is going through Zickgraf's property. Alderman Mashburn said we need to do the next step and continue with this project. The Board instructed Bobby Key to do an easement for Zickgraf Enterprises.

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

**Water adjustments for October, tax releases and payment of the bills were approved on motion made by Mashburn, seconded by Scott. Motion carried. Vote: 6 to 0.**

**Closed session**

**Motion was made by Curtis, seconded by Mashburn to go into closed session at 9:45 P.M. to discuss a lawsuit. Motion carried. Vote: 6 to 0.**

**Motion was made by Scott, seconded by Williamson to come out of closed session at 9:56 P.M. Motion carried. Vote: 6 to 0.**

**Adjournment**

Mayor Collins adjourned the meeting at 10:00 P.M.

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Joe Collins, Mayor

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Janet A. Anderson, Town Clerk

