

December 3, 2007

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, December 3, 2007 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Jerry Evans, Joyce Handley, Billy Mashburn, Carolyn Pattillo, Charles Roper and Bob Scott were present.

Approval of the minutes

Motion was made by Curtis, seconded by Evans to approve the minutes for the November 5, 2007 meeting as presented. Motion carried. Vote: 6 to 0.

Recognition of outgoing board member – Mayor Collins

Mayor Collins thanked Charles Roper for his service as an alderman for the past four years. He presented Alderman Roper with a plaque.

Oath of office for the mayor – Vic Perry, Macon County Clerk of Court

Vic Perry swore in Mayor Joe Collins. A copy of the oath is attached.

Oath of office for new and re-elected aldermen – Vic Perry

Vic Perry swore in Alderman Verlin Curtis, Alderman Joyce Handley and Alderman Bob Scott. Copies of the oaths are attached.

Selection of a vice-mayor

Motion was made by Evans, seconded by Curtis to nominate Billy Mashburn as vice-mayor. There were no other nominations. Billy Mashburn was elected as vice-mayor. Motion carried. Vote: 6 to 0.

Committee assignments – Mayor Collins

Mayor Collins said I have done Committee assignments. A copy of the assignments is attached.

Planning Board resignation

Mike Decker said Joyce Handley has submitted a letter of resignation from the Planning Board. A copy of the letter is attached.

December 3, 2007 meeting continued,

Persons to be heard

Gregory Hunt said I live on Watauga Street. He said at your November board meeting you decided to make Watauga Street one way. He said over fifty residents are using this street every day. He said the school is only using this street for a couple of hours per day when in session. He said I will have to make a circle now to go to work. Mr. Hunt said I am asking you to repeal your vote and have a public session for comment. Mayor Collins said East Franklin School is doing a major construction. He said they are asking for only eighteen months. Alderman Pattillo said we need to be careful during the construction. She said there are safety issues. Mr. Hunt said the school can use the empty lot across from the school for parking. Mayor Collins asked Mike Decker to talk to the school representatives about any other alternatives.

Pepper Moffitt said I am requesting a water allocation of 12,000 gallons per day for the Falls at Willow Brook development. After some discussion, the Board said we need a formal letter from your engineer asking for the allocation. **Motion was made by Scott, seconded by Handley to approve the allocation of 12,000 gallons per day for the Falls at Willow Brook when Mr. Moffitt provides a letter from his engineer. Motion carried. Vote: 6 to 0.**

Kathleen Costa said because of the Town's actions I had to merge my business two years ago. She said I joined Smoky Mountain Pets. She said I quit after eight weeks. She said my co-owner is bringing me up on charges of damaging our house. She said he assaulted me in the elevator at the courthouse. She said he is forcing the sell of my house. Mrs. Costa said I have two weeks to vacate my house. Mayor Collins said it is not our jurisdiction to get involved in a civil matter in superior court. Mrs. Costa said the Town needs to help me file an appeal. Mayor Collins said we have no authority to spend taxpayers' money on a civil law suit. John Henning, Jr. said the Town has no involvement in this matter. He said it is not legal to support anybody in a civil suit. He said you can ask the Clerk of Court office to help you.

Departmental reports

Fire Chief Pete Haithcock gave the fire department report. A copy of the report is attached. He said Macon County may require us to put up a fire wall at the fire department.

Public Works Director Jay Gibson said the work on the new intake at the water treatment plant is continuing. He said the Iotla Street sewer line has been completed and it has helped on the I & I problem. He said Rick Green has completed his C Distribution License. **Motion was made by Evans, seconded by Pattillo to give Rick Green a \$1.00 per hour raise. Motion carried. Vote: 6 to 0.**

Police Chief Terry Bradley gave the police department report. A copy of the report is attached. He said the Christmas party will be on December 17, 2007 at 6:00 P.M. at the Chef and His Wife. He said we are following leads on the bank robbery at United Community Bank. He said when the signs come in we are putting up stop signs and thru traffic signs on Forest Hills Drive to try to help the traffic problems. He said December 14, 2007 will be Shop With a Cop.

December 3, 2007 meeting continued,

Main Street Coordinator Linda Schlott said we had the Veteran's Parade on November 12, 2007. She said we have enlarged the area for Christmas decorations. She said we had a good crowd for the lighting of the Christmas tree at the Clock Tower. Mrs. Schlott said we have received ninety letters in our Santa mail box. She said all of the letters have been answered. She said we had over fifty children at the cookies with Santa Claus. She said we have a decorated tree on Depot Street and one in front of RBC Centura with tea cups. She said Window Wonderland went well last Friday. She said I have office space on Phillips Street. Mrs. Schlott said we had a luncheon with the design group last Friday. Alderman Curtis said we need to get the DeSoto Trail Marker from the North Carolina Department of Transportation. Alderman Scott said we need it put at the Nikwasi Mound.

Town Planner Michael Grubermann said I have issued five zoning permits in November and fifty three for the year. He said I have issued two sign permits in November and one hundred five for the year. Mr. Grubermann said I have revised the Schedule of Fees for Zoning and Signs. A copy is attached. **Motion was made by Curtis, seconded by Pattillo to pass the revised Schedule of Fees for Zoning and Signs. Motion carried. Vote: 6 to 0.** He said I have been asked to serve on the Occupancy Tax Study Committee. A copy is attached.

Report on Franklin Folk Festival – Margaret Ramsey

Margaret Ramsey said I want to thank you for your support for the Franklin Folk Festival. She said I have brought a financial report. A copy is attached.

Sidewalk plans for Iotla Street/West Main Street near the Macon County Courthouse – Richard Clark

Richard Clark said Macon County is redoing the brick around the courthouse with pavers. He said I have the quote to do the sidewalk, new curbing and plantings for \$34,700.00. He said the county feels this part of the project should be the Town's responsibility. A copy of the quote is attached. Alderman Mashburn said we have no easement for this property. He said we need to look at our legal obligation. Alderman Curtis said the whole project should have been bid at one time. He said we need more information. The Board decided to table this request until the next meeting.

Consideration of Main Street Coordinator contract

Mike Decker said Linda Schlott's contract ends December 31, 2007. He said we received a recommendation letter from Tony Angel. A copy is attached. He said the contract is now for \$20,000.00 per year. **Motion was made by Scott, seconded by Evans to enter into a new contract with Linda Schlott for \$22,000.00 which is a ten percent raise for the year of 2008. Motion carried. Vote: 6 to 0. A copy of the contract is attached.**

December 3, 2007 meeting continued,

Recess

Mayor Collins recessed the meeting at 8:30 P.M.

Mayor Collins reconvened the meeting at 8:40 P.M.

Sidewalk plans for Church Street/Iotla Street near the new floral shop – Larry Buchanan

Mayor Collins said Larry Buchanan wants the Town to put a sidewalk at his property at the corner of Church Street and Iotla Street. A copy of the proposals is attached. Alderman Pattillo, Alderman Scott and Michael Grubermann agreed to meet with Larry Buchanan. Alderman Scott said we need a policy on doing pavers.

Discussion regarding required dog collars and/or tags – Alderman Scott

Alderman Scott said we have an ordinance requiring dogs to have dog collars. He said the ordinance is badly written. After some discussion, the Board decided to scrap the old ordinance and do a new ordinance. The Board instructed Michael Grubermann to redo the ordinance.

Consideration of award for Highlands Road Water Line Improvements – McGill Associates

Mike Decker said we have opened the bids on the Highlands Road water line. He said Carolina Specialties Construction is the low bidder at \$532,324.88. A copy of the recommendation is attached. He said if you pass a reimbursement resolution within sixty days you can use the loan funds. **Motion was made by Mashburn, seconded by Evans to accept the bid from Carolina Specialties Construction in the amount of \$532,324.88 plus \$28,000.00 to upgrade to a ten inch water line. Motion carried. Vote: 6 to 0.**

Mike Decker said we have a proposal from Womble Carlyle Sandridge & Rice to do our revenue bonds at a cost of \$18,000.00. A copy of the letter is attached. Alderman Scott said I have a problem with the out of pocket expenses. He said they should be paid at the current state rates. Alderman Evans said I do not want to raise the water rates. **Motion was made by Scott, seconded by Handley to accept the proposal from Womble Carlyle Sandridge & Rice in the amount of \$18,000.00 with the out of pocket expenses to be capped at the current state rates. Motion carried. Vote: 6 to 0.**

December 3, 2007 meeting continued,

Withdrawal of Roadway from Dedication – Mayor Collins

Mayor Collins said Bud Siler has asked us to withdraw a fifteen foot easement off Forest Avenue. He said we have received the Notice of Consent. Copies are attached. Michael Grubermann said we are not creating a new subdivision. **Motion was made by Mashburn, seconded by Evans to accept the Withdrawal of Roadway from Dedication for the fifteen foot wide alley shown on the plat of Bonny Crest, recorded in Plat Cabinet 1, Slide 229, Page 1, Macon County Land Registry with the understanding this is not creating a new subdivision. Motion carried. Vote: 6 to 0.**

Resolution regarding intent to adopt water conservation measures

Motion was made by Handley, seconded by Scott to adopt the Resolution of Intention to Adopt Water Conservation Measures. Motion carried. Vote 6 to 0. A copy is attached.

Authorizations for Mayor Collins to sign the Rural Center grant applications

Motion was made by Mashburn, seconded by Curtis to adopt a Resolution by Governing Body giving Mayor Collins authorization to sign the Rural Center grant applications. Motion carried. Vote: 6 to 0.

Planning Board recommendations

Mike Decker said the Planning Board met and gave the following recommendations: to rezone the Michael Vale Trust property from R-2 to C-2 and to rezone the Jewel Roper property from MICR to C-1. Information copies are attached. **Motion was made by Evans, seconded by Scott to set the public hearing on these rezoning requests for January 7, 2008 at 7:00 P.M. Motion carried. Vote: 6 to 0.**

Consideration of 2008 holiday schedule

Motion was made by Mashburn, seconded by Evans to approve the 2008 holiday schedule as presented. A copy is attached. Motion carried. Vote: 6 to 0.

Additional committee and departmental reports

Mike Decker said the Town must complete a Flow Tracking/Acceptance for Sewer Extension Permit Application for each project that we approve beginning on January 15, 2008. Information copies are attached.

Mike Decker said Nancilee Dills with the Smoky Mountain Quilters Guild is requesting extended use of the Jaycee Building. A copy of the letter is attached. The Board agreed to discuss this matter further at the January meeting.

December 3, 2007 meeting continued,

Mike Decker said Rita Salain wants to place a bench in front of the Burrell Building in memory of her mother, Mary Lou Burrell Salain. Mayor Collins said I want to see how it will look. He said I am okay with the idea in principle.

Mike Decker said Mediacom's rates are increasing for its Broadcast Basic package. A copy of the letter is attached. Alderman Evans said somebody needs to come to a meeting and talk to us.

Mike Decker said the Town has received a permit from the Tennessee Valley Authority for the aerial sewer line crossing over the Cullasaja River.

John Henning, Jr. said we are ready to try to get the easements for the Little Tennessee trunk sewer line on Depot Street.

Motion was made by Curtis, seconded by Evans to approve a \$100.00 Christmas bonus to each volunteer fireman. Motion carried. Vote: 6 to 0.

Alderman Pattillo said Chris Stahl with Macon County is writing a recycling grant. She said he wants the Town to use recycling containers at our festivals.

Alderman Curtis said we need hand rails on Main Street in front of Russell Bowling's office and the county offices. **Motion was made by Curtis, seconded by Pattillo to put up the hand rails on Main Street where needed. Motion carried. Vote: 6 to 0.**

Mayor Collins said I want to give everybody an opportunity to state their goals for the upcoming year.

Alderman Curtis said I want the following:

- 1) get the revenue bonds done
- 2) do the I & I projects
- 3) to relocate the public works department
- 4) to find another source for our water
- 5) do not move to the Burrell Building

Alderman Handley said I want the following:

- 1) to go to the Burrell Building
- 2) to get a public works site

Alderman Evans said I want the following:

- 1) to do water and sewer projects
 - 2) to do more for the have nots
- December 3, 2007 meeting continued,**

Alderman Pattillo said I want the following:

- 1) to move Town Hall to the Burrell Building
- 2) to hire a manager
- 3) to give Main Street more support
- 4) to complete the work of the sidewalks
- 5) to do new sidewalks

Mayor Collins said I want the following:

- 1) to hire a town manager
- 2) a flood plain ordinance
- 3) to establish a room tax

Alderman Mashburn said I want the following:

- 1) for the Board to do more together as a group

Alderman Mashburn said I think the dogwood trees on Main Street need professional attention. He said they need to be trimmed.

Alderman Mashburn said the Water/Sewer Committee is discussing with McGill Associates and Macon County about putting in a pump station for the Macon Middle School sewer line and doing away with the aerial crossing. He said Macon County is under contract for the Owens property across from the church where the pump station could go. He said McGill has offered money for this project.

Water adjustments, tax discoveries and payment of bills

Motion was made by Scott, seconded by Curtis to approve the water adjustments for November, the tax discoveries and to approve payment of the bills. Motion carried. Vote: 6 to 0. Copies are attached.

Adjournment

Mayor Collins adjourned the meeting at 9:55 P.M.

Joe Collins, Mayor

Janet A. Anderson, Town Clerk