

Town of Franklin Board of Aldermen

Agenda

February 3, 2014

7:00 p.m.

1. Call to order- Mayor Bob Scott
2. Adoption of February 3, 2014 proposed agenda
3. Approval of January 6, 18 and 23, 2014 board minute

4. Public hearing 7:05 p.m. for application to Amend Text only of the Unified Development Ordinance for the Board of Adjustment

5. Public session
6. New business
 - A.) Proclamation for Hunger Awareness Month- Margret Freeman
 - B.) Presentation by Appalachian Trail Community- Bill Vanhorn
 - C.) Street Closing request for 2014- Main Street Executive Director Linda Schlott
 - D.) Town Appointment to the Macon County Planning Board- Town Manager Warren Cabe
 - E.) Town Appointment to the Board of Directors to the Apartments at Orchard View- Town Manager Warren Cabe
 - F.) Permission to advertise vacancy on the Town Planning Board- Town Manager Warren Cabe
 - G.) Presentation of sufficiency notification for Macon Program for Progress annexation and to set public hearing for Macon Program for Progress annexation petition- Town Manager Warren Cabe
 - H.) Letter authorizing support of Drinking Water Supply Assistance Act of 2013 S. 1824- Town Manager Warren Cabe
 - I.) Discussion on Gazebo plans- Town Manager Warren Cabe
 - J.) Board authorization for the advertisement of property tax liens for the current tax year 2013- Tax Collector Jessie Wilkins
 - K.) Offer to purchase Old Town Hall property- Town Manager Warren Cabe

7. Legal
 - A.) Set public hearing for Application to Amend Text only of the Unified Development Ordinance to add additional permitted uses in Commercial (C-2) zones- Town Attorney John Henning Jr.
 - B.) Closed session pursuant to N.C.G.S. 143-318.11(a) (3), "to consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged", the matter of an inverse condemnation claim, John W. Mitchell Trust v. Town of Franklin, file no. 12-CVS-228 in the files of the Clerk of Superior Court for Macon County.

8. Adjourn

February 3, 2014

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, February 3, 2014 at 7:00 P.M. in the Town Hall Board Room. Mayor Robert S. Scott presided. Aldermen Patti Abel, Verlin Curtis, Joyce Handley, Farrell Jamison, Billy Mashburn and Barbara McRae were present.

Adoption of February 3, 2014 Proposed Agenda

Motion was made by Curtis, seconded by Handley to amend the agenda as follows: to remove closed session. Motion carried. Vote: 6 to 0.

Approval of the Minutes

Motion was made by McRae, seconded by Handley to approve the minutes for the January 6, 2014, January 18, 2014 and January 23, 2014 meetings as presented. Motion carried. Vote: 6 to 0.

Public Hearing for Application to Amend Text Only of the Unified Development Ordinance

Mayor Scott opened the public hearing at 7:05 P.M.

John Henning, Jr. – Town Attorney - The purpose of the text amendment is to be in compliance with state law as mandated by the 2013 legislation.

No other persons spoke at the public hearing.

Mayor Scott closed the public hearing at 7:08 P.M.

Public Session

W. H. Derrick – There is a hole at the corner of Wayah Street and Ulco Drive. The hole is on state property. A railing needs to be put up by the state. I am giving you pictures of the vehicle that went into the hole.

Mayor Scott – We will send the pictures to the North Carolina Department of Transportation.

Bruce Koehler – Pauline Avenue – I have three requests. First, the bus stop sign has not been installed. Secondly, you need to replace the four missing stop signs. Thirdly, new stop signs need to be put up. It is a safety issue. Drivers need to be slowed down on this street.

February 3, 2014 meeting continued,

Brittany Parker – I want to protest you decision not to have a liaison to East Franklin School. Your citizens need this interest. I live inside town limits. You should be sharing the county responsibility for a school resources officer at East Franklin School. You need to be pro active.

Bonnie Pickartz – The gazebo design does not fit the town. It is very Victorian. There would be a large amount of maintenance with this design. The public space needs to be open. Need to be able to view the entertainers. You do not need restrooms behind the gazebo due to the noise. Town hall meetings are needed for discourse with the public.

Sandy Pantaleo – The design of the gazebo is closed. It needs to be open. There should be public input on the gazebo design.

Matt Bateman – I am a TDA member. The gazebo needs a rustic look. Monthly town hall meetings would open up the communication lines. We have unique opportunities as an AT community.

Dan Williams – I have a good feeling from Mayor Scott and Manager Cabe. I have ideas on the Town's vacant piece of property.

Angela Moore – Use the local businesses skills on the gazebo upgrade. Try to get sponsors. It would be a financial savings to the town. The agenda package needs to be done at least a week before the scheduled meeting so the public will know in advance what will be discussed.

Kay Coriell – I am co-chair of the Little Tennessee Greenway. The North Carolina Department of Transportation has four proposed plans for the improvements at the bridge. We need to have input on these plans. There is a meeting on Wednesday at the Macon County Health Department at 9:30 A.M. You need to attend and give your input.

Rob Gasbarro – Open town meetings are a good idea. The AT designation is very important to this area. Outdoor 76 is one of the largest businesses on Main Street. The AT designation is a big deal for us. We need to keep this designation.

Narelle Kirkland – You could have the town hall meetings every four months.

New Business – Board Action on Application to Amend Text Only of the Unified Development Ordinance for the Board of Adjustment

Motion was made by McRae, seconded by Handley to amend text only of the Unified Development Ordinance for the Board of Adjustment and to adopt the Zoning Consistency Statement. Motion carried. Vote: 6 to 0.

February 3, 2014 meeting continued,

New Business – Proclamation for Hunger Awareness Month

Motion was made by Curtis, seconded by Jamison to proclaim February 2014 as Hunger Awareness Month in Franklin. Motion carried. Vote: 6 to 0. A copy of the proclamation is attached.

New Business – Presentation by Appalachian Trail Community

Bill Vanhorn – Franklin was designated as the first Appalachian Trail Community in 2010. The Nantahala Hiking Club was established in 1968 by Rufus Morgan. The club now has two hundred members. We have been involved in the community and in the schools. We have had an event every year for the hikers. We support the trail through education in our local schools. We also work every Wednesday maintaining the trail. We have been very successful as an Appalachian Trail Community.

New Business – Street Closing Request for 2014

Linda Schlott – Main Street Executive Director – I have the street closing requests for 2014. A copy is attached.

Motion was made by Handley, seconded by Abel to approve the street closing request as presented. Motion carried. Vote: 6 to 0.

Recess

Mayor Scott recessed the meeting at 8:08 P.M.

Mayor Scott reconvened the meeting at 8:12 P.M.

New Business – Town Appointment to the Macon County Planning Board

Motion was made by Curtis, seconded by McRae to appoint Justin Setser to the Macon County Planning Board to serve the remainder of the unexpired term of three years that was vacated by Derek Roland. Motion carried. Vote: 6 to 0.

New Business – Town Appointment of the Board of Directors to the Apartments at Orchard View

Motion was made by McRae, seconded by Curtis to appoint Alderman Farrell Jamison to serve on the Board of Directors to the Apartments at Orchard View. Motion carried. Vote: 6 to 0.

February 3, 2014 meeting continued,

New Business – Permission to Advertise Vacancy of the Town Planning Board

Motion was made by Handley, seconded by Jamison to advertise the vacancy on the Town Planning Board. Motion carried. Vote: 6 to 0.

New Business – Presentation of Sufficiency Notifications for the Macon Program for Progress Annexations

Janet Anderson – Town Clerk – Tract #1 and Tract #2 of the Petitions from Macon Program for Progress for annexation have been certified. Copies are attached.

Motion was made by Curtis, seconded by Jamison to set a public hearing for Macon Program for Progress (Tract #1) annexation petition for Monday, March 3, 2014 at 7:05 P.M. Motion carried. Vote: 6 to 0.

Motion was made by Curtis, seconded by Jamison to set a public hearing for Macon Program for Progress (Tract #2) annexation petition for Monday, March 3, 2014 at 7:10 P.M. Motion carried. Vote: 6 to 0.

New Business – Letter Authorizing Support of Drinking Water Supply Assistance Act of 2013 S. 1824

Motion was made by Curtis, seconded by Jamison to authorized Town Manager Warren Cabe to send a letter in support of Drinking Water Supply Assistance Act of 2013 S. 1824. Motion carried. Vote: 6 to 0. A copy is attached.

New Business – Discussion of Gazebo Plans

Warren Cabe – Town Manager – The current plans has given us a starting point for discussion.

Alderman Handley – It needs to be useful.

Alderman Jamison – We need bathrooms.

Alderman Curtis – We had some input tonight. We need to stay within our budget.

Alderman McRae – There were a lot of good ideas tonight.

Alderman Mashburn – How long will it take to complete? We may have to wait until next year.

Alderman Abel – We could have a contest on the gazebo design.

February 3, 2014 meeting continued,

Mayor Scott – We will look at the ideas and suggestions for the gazebo design at the March meeting.

New Business – Board Authorization for Advertisement of the Property Tax Liens for 2013

Jessie Wilkins – Tax Collector – The outstanding balance of the property tax liens for 2013 is \$140,629.00. I would like to advertise these liens on February 28, 2014.

Alderman Jamison - What is the collection rate?

Mrs. Wilkins – Ninety-seven percent.

Motion was made by Handley, seconded by McRae to authorize Tax Collector Jessie Wilkins to advertise the property tax liens for the 2013 tax year. Motion carried. Vote: 6 to 0.

New Business – Offer to Purchase Old Town Hall Property

Warren Cabe – Town Manager – We have received an offer of \$200,000.00 for the old town hall property. The appraised value of the property is \$725,000.00. A copy of the offer is attached. You have two options on the offer. You can reject the bid outright or start the upset bid process that is required on the sale of government property in North Carolina. If you do the upset bid process you still can reject the final offer.

Motion was made by Curtis, seconded by Handley to reject the offer of \$200,000.00 as too low for the old town hall property. Motion carried. Vote: 6 to 0.

Legal – Set Public Hearing for Application to Amend Text Only of the Unified Development Ordinance to add Additional Permitted Uses in Commercial (C-2) Zones

Motion was made by Jamison, seconded by Curtis to set the public hearing for the application to amend text only of the Unified Development Ordinance to add additional permitted uses in Commercial (C-2) Zones for Monday, March 3, 2014 at 7:15 P.M. Motion carried. Vote: 6 to 0.

Other Business

Departmental reports are attached.

February 3, 2014 meeting continued,

Adjournment

Motion was made by Curtis, seconded by Abel to adjourn the meeting at 8:45 P.M. Motion carried. Vote: 6 to 0.

Robert S. Scott, Mayor

Janet A. Anderson, Town Clerk