

Town of Franklin Board of Aldermen

Agenda

Monday, March 1, 2010

7 p.m.

1. Call to order – Mayor Collins
2. Approval of the February 1, 2010 minutes
3. Public session
4. (A) 7:15 p.m. – Public hearing on special use permit application for Sanctuary Terrace
(B) Consideration of special use permit application
5. Presentation regarding Honor Air Flight
6. Consideration of sponsorship of April 17 quilting event – Mayor Collins
7. Presentation on recommended revisions to the town sign ordinance – Michael Grubermann
8. Consideration of contract for fire protection
9. Personnel policy issues
(A) Internet, e-mail and computer usage policy
(B) Discussion regarding outside employment by town employees
10. Consideration of extension of town manager employment agreement – Town Attorney
11. (Tentative) Consideration of bid award for East Main Street Water Improvements (bid opening 02/26/10)
12. Adjourn

March 1, 2010

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, March 1, 2010 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 and Bob Scott were present.

Approval of the minutes

Motion was made by Handley, seconded by Evans to approve the minutes for the February 1, 2010 meeting as presented. Motion carried. Vote: 6 to 0.

Public session

Connie Grubermann with the Zonta Club of Franklin requested that a resolution be approved declaring March 8, 2010 as Yellow Rose Day.

Motion was made Evans, seconded by Mashburn to declare March 8, 2010 as Yellow Rose Day in celebration of International Women's Day in Franklin. Motion carried. Vote 6 to 0. A copy of the resolution is attached.

Consideration of sponsorship of April 17 quilting event

Margaret Ramsey said the Folk Heritage Association is having a quilting event on April 17, 2010. She said we will be showcasing quilts with other activities at the Macon County Community Building. She said we are asking the Town to co-host the event with a donation of \$250.00.

Motion was made by Pattillo, seconded by Curtis to co-host the April 17, 2010 quilting event and to donate \$250.00. Motion carried. Vote: 6 to 0.

Public hearing on special use permit application for Sanctuary Terrace

Mayor Collins opened the public hearing on the special use permit application for Sanctuary Terrace at 7:12 P.M. Michael Grubermann said the public hearing is the final step in the process. He said the applicant wants to build a fifty unit apartment complex within the R1/TND overlay district adjacent to the Sanctuary Village project. He said the Planning Board recommended that a traffic study be done before approval of the permit. Information copies are attached. No other persons spoke at the hearing. Mayor Collins closed the public hearing at 7:15 P.M.

March 1, 2010 meeting continued,

Consideration of special use permit application

The Board made the following Findings of Fact:

1 - The two parcels included in the application are all currently part of the Sanctuary Village Traditional Neighborhood Development (TND) area. Parcel 1, PIN #1226630 is about 0.69 acres that was recently rezoned and included in the R-1/TND Overlay of Sanctuary Village. Parcel 2 is part (approximately 4.1 acres) of parcel #1251723 that was the original parcel that made up the Sanctuary Village development project. The special use permit includes the use of these parcels as described in the Sanctuary Terrace development plan. The balance of the Sanctuary Village property proposed to be about 18.87 acres can be used as originally planned because the UDO describes in Article 3.19.1.1 (Codified as 152.038(B)(1) Area: that the overlay zone “shall not be applied to any area less than twenty acres in size unless the applicant can show the area surrounding the proposed area of application, meets the intent of these overlay regulations.” The included amenities of this development when included with the open area involved should meet the intent of the original overlay that was granted to Sanctuary Village. The special use does not have to be taken as separate from the existing TND overlay, it can be considered as part of it.

2 - The use or development is located, designed and proposed to be operated so as to maintain or promote the public health, safety and general welfare. The developer has indicated that the development will conform to the regulations of the State of North Carolina for the Low Income Housing Tax Credit development program as administered by the North Carolina Housing Finance Agency.

3 - There are or will be at the time they are required adequate public facilities to serve the use or development as specified in Section 4.11 of the UDO. The property is currently served by town utilities; adequate capacity is available for the small addition of the number of units in this development. A Traffic Impact Study is required prior to approval of a land development permit with the development plans showing the recommended improvements. The North Carolina Department of Transportation will be involved in the redesign of the Crisp/Iotla Street intersection.

4 - The use or development complies with all required regulations and standards of the Unified Development Ordinance or with variances thereto, if any, granted pursuant to Section 4.4.14 of the UDO and with all other applicable regulations. No variances are required and the new development complies or will comply with the UDO with reference to special uses and other zoning provisions.

5 - The use or development is located, designed and proposed to be operated so as to be compatible with the particular neighborhood in which it is to be located. The proposed development will not cause disruption to the area surrounding the property. The proposed development will generally only be visible from a small section of Crisp Street near the development entrance. The length of Crisp Street without any other large number of residences minimizes the exterior impact to a small area.

March 1, 2010 meeting continued,

6 - The use or development conforms to the general plans for the physical development of the Town as embodied in this Ordinance, the Principles of Growth, the Thoroughfare Plan and any other duly adopted plans of the Town. The Special Use as proposed is in compliance with the UDO. The Land development permit when applied for will meet the UDO requirements before issuance.

Motion was made by Handley, seconded by Pattillo to approve the Findings of Fact on the Sanctuary Terrace. Motion carried. Vote: 6 to 0.

Motion was made by Handley, seconded by Pattillo to approve the special use permit application to Sanctuary Terrace. Motion carried. Vote: 6 to 0.

Presentation regarding Honor Air Flight

Gary Dills did a presentation on the Honor Air Flight to Washington, D.C.

Recess

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

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

Presentation on recommended revisions to the town sign ordinance

Michael Grubermann presented the revisions to the sign ordinance. A copy is attached.

Motion was made by Scott, seconded by Curtis to adopt the revised sign ordinance. Motion carried. Vote: 6 to 0. A copy of the sign ordinance is attached.

Consideration of contract for fire protection

John Henning, Jr. said I have reviewed the contract for fire protection. He said the contract is not technically correct. He said you could authorize the manager to sign subject to the contract being changed to the correct form.

Motion was made by Mashburn, seconded by Evans to table a decision on the contract for now. Motion carried. Vote: 6 to 0.

March 1, 2010 meeting continued,

Internet, e-mail and computer usage policy

Sam Greenwood said we have a proposed Internet, e-mail and computer usage policy to be included in the personnel policy. Alderman Scott said I suggest we drop partisan.

Motion was made by Handley, seconded by Evans to approve the Internet, e-mail and computer usage policy with the one change to remove partisan. Motion carried. Vote: 6 to 0. A copy is attached.

Discussion regarding outside employment by town employees

Sam Greenwood said we need language in the personnel policy on allowing outside employment with outside agencies with the same employment duties due to the potential liability for the Town. He said the job classifications will determine the conflict of interest.

Motion was made by Handley, seconded by Mashburn to authorize the town attorney to draft the appropriate language. Motion carried. Vote: 6 to 0.

Consideration of extension of town manager employment agreement

John Henning, Jr. said this is an extension of the existing contract with Sam Greenwood. A copy is attached.

Motion was made by Handley, seconded by Pattillo to approve the contract with Sam Greenwood as written. Motion carried. Vote: 5 to 1. Voting yes: Curtis, Evans, Handley, Mashburn and Pattillo. Voting no: Scott.

Consideration of bid award for East Main Street Water Improvements

Sam Greenwood said we need to award the bid on the East Main Street water improvements before the North Carolina Department of Transportation does the milling and repaving of Palmer Street. He said the bids were opened on February 26, 2010. He said McGill Associates is recommending we accept the low bid from Buckeye Construction Company in the amount of \$471,798.00. Information copy is attached.

Motion was made by Mashburn, seconded by Evans to award the bid for the East Main Street Water Improvements project to Buckeye Construction Company in the amount of \$471,798.00. Motion carried. Vote: 6 to 0.

March 1, 2010 meeting continued,

Administrative reports

Alderman Handley said what is the progress on the flood plain? Sam Greenwood said we do not have a commitment yet from the state.

Alderman Pattillo said the banners on 441 South have been delayed. She said it may be March 11th before they are up.

Other business

Departmental reports are attached.

Adjournment

**Motion was made by Evans, seconded by Mashburn to adjourn the meeting at 8:27 P.M.
Motion carried. Vote: 6 to 0.**

Joe Collins, Mayor

Janet A. Anderson, Town Clerk