

May 7, 2007

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

Approval of the minutes

Motion was made by Curtis, seconded by Pattillo to approve the minutes for the April 2, 2007 and May 1, 2007 meetings as presented. Motion carried. Vote: 5 to 0.

Public hearing on petition for rezoning by Della Sue Chandler and Karin N. Gorboff

Mayor Collins opened the public hearing on the petition for rezoning by Della Sue Chandler and Karin N. Gorboff at 7:01 P.M. Mike Decker said the property is located on Harrison Avenue. He said they are asking that the property be rezoned from Residential to Business. He said the Planning Board met on March 20, 2007 and recommended rezoning the property to Business. Della Sue Chandler said we have had the property up for sale since 2005 and it will help us sell the property if it is zoned to Business. She said we have been there twelve years. She said we have done a lot of improvements. Karin N. Gorboff said there are four Bed and Breakfasts inside Town and they are all zoned Business. Mayor Collins closed the public hearing at 7:06 P.M.

Consideration of Chandler/Gorboff rezoning petition

Alderman Mashburn said the zoning ordinance does not mention Bed and Breakfast. He said we may need to do a definition change in the text. Mike Grubermann said it will take several months to change the ordinance. He said we will have the new Unified Development Ordinance. Alderman Curtis said does this border on spot zoning? John Henning, Jr. said no. He said you have a little leeway because of the surrounding nonconforming uses. Alderman Pattillo said there is a lot of nonconforming uses surrounding the property. Mr. Grubermann said the new ordinance will address this use. Alderman Evans said we need to wait until the new ordinance is passed. Mayor Collins said they have been in business for twelve years. He said I hate to tie their hands.

Motion was made by Pattillo, with no second to change the zoning on the Chandler/Gorboff property from Residential to Business. Motion failed. Vote: 1 to 4. Voting yes: Pattillo. Voting no: Curtis, Evans, Mashburn and Roper. A copy is attached.

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Recognition of Wayne Price – NC Rural Water Association award

Mike Decker said Wayne Price; our Operator in Responsible Charge at the wastewater treatment plant will be receiving the Al Deratt Award at the North Carolina Rural Water Association's annual conference in Greensboro later this month. He said per Lowell Gunter with Rural Water, this award goes "to a person who shows dedication to their job and their wastewater system. This person sets an example for others to follow by going beyond the call of duty to educate themselves and improve their wastewater industry as a whole." Mayor Collins and the Board congratulated Mr. Price on this accomplishment. Mr. Price said I want to thank you for the opportunity to work for the Town.

Persons to be heard

Tim Ryan said some sewer work needs to be done before I can start on Phase One of my project. He said one hundred fifty to one hundred sixty feet of ten inch pipe needs to be replaced as well as two manholes. Mr. Ryan said if the Town will pay for the materials I will pay for the labor and the engineering. Alderman Evans said is this going to cost the Town more than what we normally do? Mr. Ryan said the project needs to do the creek crossing and this would cost the Town one additional manhole. Mayor Collins said we need to review the engineering plans. **Motion was made by Mashburn, seconded by Roper to pay for the materials with the understanding Mr. Ryan will pay for the labor and engineering with approved engineering plans. Motion carried. Vote: 5 to 0.**

Amber McCall said I work for Britthaven and we are requesting that the Town declare the week of May 7, 2007 as National Nursing Home Week. **Motion was made by Evans, seconded by Curtis to declare the week of May 7, 2007 as National Nursing Home Week in Franklin. Motion carried. Vote: 5 to 0. A copy of the proclamation is attached.**

Departmental reports

Fire Chief Pete Haithcock gave the fire department report. A copy of the report is attached. He said the fire department applied for a Home Security fire grant. He said we can do the metal building as a design bid. Mayor Collins said I am not sure there is enough checks and balances with a design bid. John Henning, Jr. said if the cost is under \$300,000.00 you can use the design bid.

May 7, 2007 meeting continued,

Public Works Director Jay Gibson said the paving has been completed on Maple Street. He said we opened five bids on the Raw Water Intake project on April 26, 2007. He said McGill Associates recommendation is to take the bid from AGRR Corporation for \$550,700.00. **Motion was made by Evans, seconded by Mashburn to accept the bid from AGRR Corporation in the amount of \$550,700.00 and to include this project in the loan package. Motion carried. Vote: 5 to 0.** Mr. Gibson said the water and sewer work has been finished on Tennessee View Street. Mr. Gibson said the paving should not exceed \$30,000.00. Mayor Collins said we need a quote in writing. Mr. Gibson said I have the cost for a mowing tractor. Alderman Pattillo said we need to get a saw with it.

Police Chief Terry Bradley gave the police department report. A copy of the report is attached. He said at noon on Friday, May 11, 2007 there will be a ceremony honoring our fallen brothers at the gazebo.

Town Planner Michael Grubermann said I have done seven zoning permits and twenty-five sign permits in April.

Main Street Coordinator Linda Schlott said there will be a community forum on May 17, 2007 from 5:30 to 7:30 P.M. at the First Baptist Church Fellowship hall. She said we have mailed five hundred invitations. She said we are decorating around the gazebo for the Civil War Dedication. She said we are waiting on our 501(C)(3) status.

Consideration of minor subdivision plats

Palmer Street Center – Mike Grubermann said Bill Talbott wants to subdivide this property into three lots. He said there are no new streets and no new utilities. He said the signage will be brought into compliance. A copy of the report is attached. **Motion was made by Evans, seconded by Curtis to approve the subdivision. Motion carried. Vote: 5 to 0.**

Jenkins and Browning – Hurst Circle - Mike Grubermann said Tommy Jenkins wants to subdivide this property into two lots. He said everything is in compliance. A copy of the report is attached. **Motion was made by Pattillo, seconded by Evans to approve the subdivision. Motion carried. Vote: 5 to 0.**

RAMAL, LLC – Skyview Lane – Mike Grubermann said Lamer Sprinkle and Billy Vanhook want to subdivide this property into two lots. He said this property is located off Childers Road inside the ETJ. He said it meets the requirements of our zoning code. A copy of the report is attached. **Motion was made by Mashburn, seconded by Evans to approve the subdivision. Motion carried. Vote: 5 to 0.**

May 6, 2007 meeting continued,

Consideration of requests for water/sewer allocations.

Motion was made by Evans, seconded by Mashburn to give to Henry Te the following allocations to his property across from Monte Alban on 23/441 South: water – 15,800 gallons per day and sewer – 12,720 per day with the understanding Mr. Te will request annexation. Motion carried. Vote: 5 to 0. Information copies are attached.

Motion was made by Evans, seconded by Mashburn to give to George LLC the following allocations to property off Jones Ridge Road: water – 3,600 gallons per day and sewer – 2,910 gallons per day. Motion carried. Vote: 5 to 0. Information copies are attached.

Motion was made by Evans, seconded by Mashburn to table a decision on the water and sewer allocation request from BMC Partners. Motion carried. Vote: 5 to 0. Information copies are attached.

Motion was made by Evans, seconded by Mashburn to table a decision on the request from Sawmill Village for a sewer allocation. Motion carried. Vote: 5 to 0.

Recess

Mayor Collins recessed the meeting at 8:20 P.M.

Mayor Collins reconvened the meeting at 8:26 P.M.

Update on CIP projects

Bid opening on raw water intake improvements – See report under Departmental Reports.

Water/sewer priorities, update on loan with RBC Centura - The Board agreed for John Henning, Jr. to do this closing on this loan.

Update on legislative items

HB 1136 (ATV use) – Mike Decker said this bill has been passed by the House and was sent to the Senate on April 17, 2007.

HB 1756 (Safe artificial slope construction) - Mike Decker said the state is considering passing a law requiring local governments to adopt an ordinance that would regulate site planning, design and construction on artificial slopes greater than twenty-five percent. A copy of Michael Grubermann's explanation on this proposed legislation is attached.

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Street closing for Civil War Trails signs dedication

Mike Decker said the state has given us permission to close West Main Street from the Iotla Street/Phillips Street intersection west to Macon Avenue on Saturday, May 12, 2007 from 10:30 A.M. to 2:00 P.M. for the Civil War Trails signs dedication.

Request for expanded dance floor at the gazebo for Taste of Scotland

Mike Decker said Claire Suminski is asking that the Town enlarge the dance floor at the gazebo to accommodate a group for the upcoming Taste of Scotland. A copy of the e-mail is attached. Alderman Evans said there is not enough space to expand the floor. The Board decided that since this event is only once a year, the floor did not need to be changed.

Water/sewer standards and specifications

Mike Decker said Jay Gibson has been working with McGill Associates to develop a set of water and sewer standard specifications and details. He said the developers would use this document. He said the Board needs to adopt the specifications so they may be submitted to the state for approval. **Motion was made by Mashburn, seconded by Pattillo to adopt the specifications and send them to the state for approval. Motion carried. Vote: 5 to 0.**

Consideration of resolution of support for the Clean Water Act of 2007

Motion was made by Curtis, seconded by Mashburn to adopt the resolution of support for the Clean Water Act of 2007. Motion carried. Vote: 5 to 0. A copy of the resolution is attached.

Consideration of resolution endorsing the U.S. Mayors Climate Protection Agreement

Motion was made by Pattillo, seconded by Curtis to adopt the resolution endorsing the U.S. Mayors Climate Protection Agreement. Motion carried. Vote: 5 to 0. A copy of the resolution is attached.

Planning Board recommendation

Mike Decker said on May 1, 2007 the Planning Board recommended that the David R. Gunnin rezoning request for property on 98 Dryman Drive be rezoned from Residential to Business. **Motion was made by Evans, seconded by Mashburn to set the public hearing on the David R. Gunnin rezoning request for June 4, 2007 at 7:00 P.M. Motion carried. Vote: 5 to 0.**

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Utility conflicts with Riverview Street Extension

Mike Decker said there are some utility conflicts on the Riverview Street Extension being done by the North Carolina Department of Transportation. A copy of the letter is attached. **Motion was made by Evans, seconded by Curtis to allow the North Carolina Department of Transportation to do the relocation work. Motion carried. Vote: 5 to 0.**

Schedule called meeting for Thursday, May 31 for the presentation of the proposed FY 2007-08 budget

Motion was made by Evans, seconded by Curtis to schedule a called meeting on May 31, 2007 at 5:15 P.M. to discuss the proposed FY 2007-08 budget. Motion carried. Vote: 5 to 0.

Additional departmental and committee reports

Mike Decker discussed the schedule for the completion of the Unified Development Ordinance with the Board. A copy is attached.

Alderman Mashburn said we may need to set a moratorium on rezoning requests until the Unified Development Ordinance is completed. After some discussion, the Board decided to table any rezoning requests as necessary.

Motion was made by Pattillo, seconded by Evans to lease purchase the mowing tractor from Dixie Lawn. Motion carried. Vote: 5 to 0.

Janet Anderson said I have received a request from the Macon County Humane Society requesting \$20,000.00. A copy of the letter is attached. Alderman Evans said I am not willing to pay this amount. He said they do not accept any animals. Mayor Collins said what is the alternative? Alderman Curtis said we need to get more information before the June meeting. The Board tabled this request.

Motion was made by Curtis, seconded by Roper to accept the audit contract from Dixon Hughes in the amount of \$27,500.00. Motion carried. Vote: 5 to 0. A copy is attached.

Janet Anderson reported to the Board on the budget through March 31, 2007. A copy is attached.

Motion was made by Evans, seconded by Curtis to approve the budget amendments. Motion carried. Vote: 5 to 0. Copies are attached.

Michael Grubermann said it would cost \$19,000.00 to repair the Burrell Building. He said I am waiting for prices from contractors.

May 7, 2007 meeting continued,

Water adjustments – payment of bills

Motion was made by Curtis, seconded by Evans to approve the water adjustments for April and to approve payment of the bills. Motion carried. Vote: 5 to 0. A copy is attached.

Closed session – personnel

The Board went into closed session at 9:24 P.M., on motion by Curtis, seconded by Evans to discuss personnel. Motion carried. Vote: 5 to 0.

The board came out of closed session at 9:45 P.M., on motion by Evans, seconded by Curtis. Motion carried. Vote: 5 to 0.

Adjournment

Mayor Collins adjourned the meeting at 9:46 P.M.

Joe Collins, Mayor

Janet A. Anderson, Town Clerk