

**July 5, 2005**

The regular meeting of the Town of Franklin Board of Aldermen was held on Tuesday, July 5, 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 Scott, seconded by Williamson to approve the minutes for the June 6, 2005, June 13, 2005 and June 30, 2005 meetings with the following correction to June 13, 2005 meeting: into regular session. Motion carried. Vote: 6 to 0.**

**Proclamation – Shriners Hospital Day**

Mayor Collins proclaimed July 16<sup>th</sup>, 2005 as *Shriners Hospital Day* in Franklin. A copy of the proclamation is attached.

**Departmental reports**

Police Chief Terry Bradley gave the police department report. A copy of the report is attached. He said two tropical storms are headed our way and may cause heavy rainfall. He said there will be several meetings to attend concerning these storms. He said around four thousand persons attended the annual fireworks display at the Macon County recreation park on the 4<sup>th</sup> of July.

Public Works Director Jay Gibson said we have had the preconstruction meeting on the West Main Street water line project. He said the contractor will start the project on July 11<sup>th</sup>. He said there are several trees down from the recent storm.

Fire Chief Pete Haithcock gave the fire department report. A copy of the report is attached. He said the annual picnic is on July 28<sup>th</sup>, 2005 at the Memorial Park.

Town Planner Rebecca Crawford gave her report. A copy of the report is attached. She said I had one hundred two walk-in visits or phone calls. She said I have attended a lot of meetings this month. She said I would like the Board to appoint a steering committee to assist me on the Comprehensive Land Use Plan. She said the sign ordinance enforcement is going well.

**July 5, 2005 meeting continued,**

**Discussion regarding congestion issues on U.S. 23-441 South- Mr. Scott Cook – North Carolina Department of Transportation**

Scott Cook said I am the traffic engineer for this district. He said I work out of the Sylva office. He said over the past five years there have been seventy-nine crashes in the U.S. 23-441 South corridor. He said one solution to this problem would be to do an island and eliminate any left turns out of driveways and allow u-turns at certain locations. He said long term you may want to do connections between the driveways. He said there have been a lot of accidents at the traffic light located at the McDonald's intersection. Mr. Cook said the Town would need to do a resolution asking the state to change this corridor to only left turns. Alderman Williamson said what is the status of the proposed traffic light at the intersection of Depot Street and Wayah Street? Mr. Cook said this intersection meets the signal warrant and the state is trying to get the money for this project.

**Update of U.S. 23-441 North sewer line project – Peter and Shirley Robes**

Bonce Pesterfield said I am the engineer for the Gem and Lapidary Wholesalers and the Great Outdoors RV Park. He said we walked the site of the sewer line and a punch list was created. He said we now have done everything on the punch list. He said we want to start-up the lift station and tie onto the sewer at the Ford dealership. Jeff Bishop an engineer with McGill Associates said during the inspection on June 27<sup>th</sup> and 28<sup>th</sup> the pump station was not inspected. He said there is a letter from the North Carolina Department of Transportation with eleven to twelve items in addition to our punch list. He said we are planning to meet next week to inspect the sewer line again. Mr. Pesterfield said we have complied with the DOT list also. Mayor Collins said hopefully these issues will be resolved at that time.

**Presentation of Sanitary Sewer System Infiltration and Inflow Study – Mr. Jeff Bishop**

Jeff Bishop an engineer with McGill Associates said we have completed the Infiltration and Inflow Study of the Town's sewer system. A copy of the executive summary is attached. He said we inspected a total of one hundred twenty six manholes. Mr. Bishop said eight projects were identified that would reduce infiltration and inflow to the system. He said by doing these projects the life of the wastewater treatment plant could be extended by two to three years possibly. Alderman Scott said is it too early to look at charging storm water runoff fees? Mr. Bishop said technically storm water is not supposed to be put into the sewer system at this time. He said you have an ordinance against this. He said you can disconnect any areas that are allowing storm water into the system.

July 5, 2005 meeting continued,

**Request for consideration of funding for Macon Area Transit Services – Kim Angel**

Kim Angel said I have better numbers for my funding request for the Macon Area Transit Services. She said I have a draft report with recommendations of a consultant. A copy of the report is attached. She said I am asking for \$37,075.00 from the Town. Mayor Collins said what is Macon County's position? She said I have not been told no yet. She said I am presenting this information to the county this week. Mayor Collins said when do you want to hear from us? Mrs. Angel said as soon as possible. She said I want to start these routes this fall. Alderman Scott said we need to look at the report until next month. Mayor Collins said Mike Decker and Rebecca Crawford needs to be involved and investigate this request further. Mrs. Angel said there is a meeting on Thursday morning at 10:30 A.M. at the Human and Health Services Building that they can attend. Mayor Collins said we will take this information under advisement.

**Proposal regarding possible local cable television channel – David Hawkins**

David Hawkins said the Town has a free channel through its franchise agreement with Mediacom. He said the channel can be used for public information. He said I am proposing the Town allow me to create this channel. He said the channel would be used for the local citizens. He said the town assigns the channel and there is no charge. Mr. Hawkins said there would be a formal agreement between the Town, Mediacom and me. He said there is no public money involved. Alderman Scott said would we need to advertise if we grant the franchise? Bobby Key said yes if you grant a franchise. He said you could do an assignment instead of a franchise. Mayor Collins appointed Alderman Scott, Alderman Curtis to a committee to meet with Mr. Hawkins to discuss this proposal further.

**Discussion/consideration of Crawford Branch Watershed Management Plan – Alderman Scott**

Bill McLarney said Crawford Branch is an eyesore and is in poor condition. A copy of his report is attached. He said the state does not want to deal with small streams. Alderman Scott said Crawford Branch is a Class C stream. **The following motion was made by Scott, seconded by Mashburn: I move that copies of the Crawford Branch Watershed Protection Plan be sent to all agencies with permitting authority for development/use of Crawford Branch. Along with copies of the plan, a letter from the Town of Franklin is to be attached to the plan. This letter would urge the permitting agencies to take the Watershed Protection Plan into consideration for any permitting actions on and along Crawford Branch. And further, that the permitting agencies take into consideration the recommendations of the plan. And finally, that all permitting agencies notify the Town of Franklin before issuing any permits for construction and/or any type activity which would disturb Crawford Branch. This notification would be to determine if the best management practices for Crawford Branch are being taken into consideration. Motion carried. Vote: 6 to 0.**

**July 5, 2005 meeting continued,**

**Recess**

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

Mayor Collins called the meeting back to order at 8:35 P.M.

**Consideration of ASCAP license agreement**

Mike Decker said the Town is being asked to sign a license agreement with the American Society of Composers, Authors and Publishers (ASCAP) that would give the Town permission for public performances of copyrighted music at Town's events. He said the license fee is \$268.00 per year. He said Kim Hibbard with the North Carolina League of Municipalities says that it is legitimate and the penalties for violating federal law are high. Bobby Key said it is a big issue. He said it would be better to pay a small fee. **Motion was made by Mashburn, seconded by Williamson to sign a license agreement with the American Society of Composers, Authors and Publishers and pay the license fee of \$268.00. Motion carried. Vote: 6 to 0. Information copies are attached.**

**Presentation of revised Water and Sewer Service Extension Policy**

Mike Decker said there is a revised version of the Town's Water and Sewer Service Extension Policy for your consideration. He said the changes are highlighted in green. A copy is attached. He said the change highlighted in red on Page 9 ensures that an inspector of the Town's choice oversees such extension projects on the Town's behalf. **Motion was made by Curtis, seconded by Scott to adopt the revised Water and Sewer Service Extension Policy. Motion carried. Vote: 6 to 0.**

**Macon Middle School Sewer Line Project Update**

Jeff Bishop with McGill Associates said the aerial river crossing was designed correctly to handle flood conditions. He said we identified several problems with the contractor workmanship and materials. He said the proper size of rebar was not installed by the contractor. Secondly, he said the contractor did not provide a 3000 PSI concrete mix as required by the specifications of the project. Thirdly, Mr. Bishop said the piers had not reached their design strength capacity to support the pipe per the contract specifications. He said the contractor has not responded yet to our findings. He said we will have a meeting with them on July 13<sup>th</sup>. A copy of the letter is attached. He said we have used this same design for the last fifteen to twenty years. He said it has always held up in the past.

**Update of Forest Avenue sidewalk project**

Mike Decker said the North Carolina Department of Transportation needs a stamped final set of plans for the sidewalk on Forest Avenue. He said then we can advertise for bids.

July 5, 2005 meeting continued,

**Update on junk car/junkyard issues – Rebecca Crawford**

Rebecca Crawford said we need to identify our problems. She said we need to do an inventory where there are problems currently. Mayor Collins said the Town may be able to help remove the vehicles. Information copy is attached.

**Resolution regarding Workers' Compensation insurance program**

Mike Decker said we need to pass resolutions regarding the Town's participation in the North Carolina League of Municipalities insurance programs. **Motion was made by Williamson, seconded by Curtis to adopt the resolutions regarding the Town's participation in the North Carolina League of Municipalities insurance programs. Motion carried. Vote: 6 to 0. Copies of the resolutions are attached.**

**Appalachian Regional Commission (ARC) grant approval**

Mike Decker said the Town needs to give approval on the contract with the Tennessee Valley Authority for the Siler Road Sewer Extension grant. **Motion was made by Curtis, seconded by Mashburn to approve the contract and move forward with the project. Motion carried. Vote: 6 to 0.**

**Consideration of date for a board workshop**

After some discussion, the Board set the date for the workshop meeting for Tuesday, July 26, 2005 at 5:30 P.M.

**Additional departmental and committee reports**

Alderman Mashburn said I have talked to Dean Drum about Cindy Jarvis hooking to his line on the Georgia Road. He said Mr. Drum indicated to me that he was allowing Mrs. Jarvis to hook on. He said we do not have a letter yet. He said Mr. Drum said he plans to turn over the line when everything is in order. Mayor Collins said we need to help shape the growth. Alderman Curtis said we are in the business of selling water and sewer. Alderman Mashburn said I don't think we can start with Cindy Jarvis. He said we can't change the rules at this point. **Motion was made by Curtis, seconded by Mashburn to give an allocation of 3,000 GPD of water and sewer to Cindy Jarvis. Motion carried. Vote: 6 to 0.**

Alderman Mashburn said has the Franklin Garden Club given us an additional bill? Mike Decker said no.

Alderman Williamson said the Street Committee will be getting quotes on repaving the following streets: Foxfire, Brentwood, Skylark and a section of Ulco.

**July 5, 2005 meeting continued,**

Alderman Scott said is it possible for the board to have mail boxes? Mike Decker said your mail is left in a bin located in the copy room at town hall.

Mike Decker said the proposed High Impact Land Use Ordinance by Macon County has included the ETJ area. Rebecca Crawford said the Town has the ETJ authority and I would recommend that we not grant over this authority to the county. Bobby Key said the county can not put on restrictions without the Town voting to allow them. Mr. Decker said I will tell them to take that portion out of the proposed ordinance.

Mayor Collins said if you start giving money to Macon Transit it will be every year. Alderman Curtis said she does have a plan now. He said it would be great if it is used; however, it would be wasting money if it is not used.

Bobby Key said after the Prince property was surveyed there was less land then we thought that we were buying. He said there may not be enough land for the water tank. Mayor Collins asked Jeff Bishop and Jay Gibson to measure the land tomorrow to see if the water tank can still be located on the land.

Fire Chief Pete Haithcock said the fire department wants to lease the building next to the fire department. He said they are cleaning up the building.

**Water adjustments and payment of the bills**

**Water adjustments for June and payment of the bills were approved on motion made by Curtis, seconded by Williamson. Motion carried. Vote: 6 to 0.**

**Adjournment**

Mayor Collins adjourned the meeting at 9:47 P.M.

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Joe Collins, Mayor

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Janet A. Anderson, Town Clerk

