

July 6, 2004 meeting,

The regular meeting of the Town of Franklin Board of Aldermen was held on Tuesday, July 6, 2004 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.

Motion was made by Scott, seconded by Williamson to approve the minutes for the June 7, 2004 and June 21, 2004 meetings as presented. Motion carried. Vote: 6 to 0.

Dan Hazazer said I want to get two sewer taps at Echo Valley. He said I have talked to Peter Robes. Mayor Collins said the sewer line is a long way from completion. He said we may not accept the line. Mr. Hazazer said the septic system has failed at the old building. He said I am looking to get taps when the line is completed. Alderman Mashburn said if it is only bathroom hookups, there should be no problem. He said it may be six months to one year before the sewer line is in service.

Motion was made by Williamson, seconded by Curtis to proclaim September 18th, 2004 in Franklin as *Charles Frazier Day*. Motion carried. Vote: 6 to 0. A copy of the proclamation is attached.

Fire Chief Pete Haithcock gave the fire department report. A copy of the report is attached. He said the annual fire department picnic will be on July 22nd at 7:00 P.M. at the Town Park. He said Wayne English has retired. Chief Haithcock said I would like to pay Gregg Day the \$100.00 per month as treasurer instead of paying the position of engineer. Alderman Mashburn said that would be a new position. Alderman Scott said it is the same thing and the money is there. Chief Haithcock said it will be a savings to the fire department not paying Mr. Day for each call. **Motion was made by Roper, seconded by Scott to pay Gregg Day \$100.00 per month in his position as treasurer instead of paying for the position of engineer and not to pay Mr. Day for calls he does not make. Motion carried. Vote: 6 to 0.**

Public Works Director Jay Gibson reported the Macon Middle School water line was started about one week ago. He said the sewer line on Town Mountain has been started. Mr. Gibson said the Baird Cove sewer line will be started on July 12th. He said the work on the water tank in East Franklin will begin tomorrow. He said Rick Green at the water treatment plant has received his Grade A certificate and that Bill Deal at the wastewater treatment plant has received his Grade II certificate. Mr. Gibson said you may want to consider a raise for them.

Police Chief Terry Bradley gave the police department report. A copy is attached. He said every officer worked on July 3rd during the festivities.

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Robbie McCoy said I need to get a water allocation for property at the intersection of Patton Road and Dobson Road. She said there are fifty acres and we would need to extend the water line from the present fire hydrant around one thousand seven hundred fifty feet. She said the plans are to do an upscale gated community with one to two acre parcels. Mrs. McCoy said there would be thirty to forty houses. She said we would need an allocation of fourteen thousand gallons of water per day. Mike Decker said we will need final engineering plans for Jay Gibson and the water/sewer committee to review before we can consider giving an allocation. Mrs. McCoy said I will bring back engineering plans.

Tom Ritter explained the proposed renovations for the Burrell Building. He said the proposed plans are to move the town hall to this building in the unused portion of the building. He said the plans call for a boardroom, six offices, a lounge, a vault and public restrooms. He said this plan would require an expansion of 1,075 square feet to the rear of the building. Mr. Ritter said since the building is a frame building it would be a simple addition. He said the front of the building would remain the same. He said this would be a great spot for town hall to be located. He said the new board room would allow the board to be facing the audience with the staff on the side. He said the cost of remodeling the existing building would be \$20.00 to \$25.00 per square foot. Mr. Ritter said the cost of the proposed expansion would be around \$100.00 per square foot. Mayor Collins asked Chief Bradley if this would give him adequate space for the future? Chief Bradley said yes and we would move the police reception area to the upstairs opposite to the town hall entrance. Mr. Ritter said the expansion would be very simple and take around four months. Mayor Collins said we need to decide the use of the building. He said we can fine tune the plans. He said how do you like the concept of the Burrell Building being the town hall? He said we will need to decide on the direction the Town wants to go. Alderman Williamson said there have been several different suggestions for the use of the Burrell Building. He said at the last meeting it was decided that somebody would look at the present location of town hall and the Burrell Building.

Randolph Bulgin said Karen Wallace and I are here to give you information about the planned expansion of the Macon County Public Library. He said the new library will be located on property adjoining the Southwestern Community College property. He said the county has allocated \$3,000,000.00 plus five acres to the total cost of \$4,500,000.00. Mr. Bulgin said at present we have 26,000 square feet and we are planning to expand to 54,000 square feet in the new building. He said the plans are to do a three hundred theatre auditorium in the future. He said the second phase is to be added later. Mr. Bulgin said there will be a 1,200 square foot multi-propose room that can be used by the public. He said you have contributed to the operation of the library over the years. He said we realize that the library will be located outside the town limits. He said we are asking that you contribute to the degree that you can to the building fund. He said Southwestern Community College has agreed to help staff the library for longer hours if necessary. Mayor Collins said why ask the town taxpayers to pay more than the county taxpayers? He said they have already paid for the library with their county taxes. Mr. Bulgin said the old building will be for sale and the proceeds will be use to help build the new library. Mayor Collins said we will take this request under advisement.

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Janet Jacobs Greene said the organizers of the recent folk festival held in the Burrell Building want to thank you for your outstanding support. She said we want to thank the board members for coming. She said we have had positive feedback from everybody. Mrs. Greene said it was a good time for the businesses. She said please consider the following before reaching a decision on the use of the Burrell Building. She said Franklin is rapidly losing retail opportunities. She said for the downtown to survive we need to have the potential to attract tourists and customers. She said if you move the town hall to the building there will be fewer spaces for business parking. Mrs. Greene said without planning the future will be planned for us. She said the Franklin Folk Festival Committee, the Streets of Franklin Committee and the downtown merchants and property owners requests the Burrell Building be designated as a Heritage Center. A copy of the request is attached. She said I want to give you a list of signatures of persons in support of this request. She said the event was a success and a lot of community hours were given to it. Mayor Collins said thank you.

Mayor Collins recessed the meeting at 7:55 P.M.

Mayor Collins reconvened the meeting at 8:05 P.M.

Ronnie Beale said recently I got a building permit from the town and county to build a building near the Depot Street Extension. He said there is a sewer line under the building that was not shown on the survey or the closing statements. He said we have the foundation done. He said Mr. Orville Coward is the owner of the building. Mayor Collins said do we need to reroute the line? Jay Gibson said this sewer line serves all of Frogtown and Main Street. He said it is a fifteen inch sewer line. He said the state map ends at the man hole. Mike Decker said we endeavor to not let anybody build over a water or sewer line. Alderman Mashburn said you can not build over an existing sewer line according to the North Carolina building code. Alderman Williamson said how may feet would it take to relocate the line? Jay Gibson said around one hundred fifty feet. Alderman Williamson said we need to reroute the sewer line. Bobby Key said Orville Coward needs to talk to the Board about the problem. Alderman Mashburn said it is out of our hands. Mayor Collins said can we grant permission to relocate the line or will it benefit us to continue the moratorium on the building. Bobby Key said the law states if the building crushes the line the owner is responsible for moving the line since they have impeded the right of the easement. Alderman Mashburn said we need to talk to Orville Coward about this matter. Alderman Curtis said we need to schedule a meeting with Mr. Coward and have a called meeting if necessary. The Board decided for the water/sewer committee to meet with Mr. Coward. Ronnie Beale said we will need to know the fall of the line. The Board instructed Jay Gibson to get the fall of the line.

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Mayor Collins said Jay Gibson thinks there may be problems with the sewer line going out on Highway 441 North. Jay Gibson said Bryan Burch the state engineer said the North Carolina Department of Transportation would have not given the Town an encroachment for the line if the Town was not going to accept this line. He said the state does not let a private utility go on their right of way. He said the sewer line is around sixty percent complete. Jay Gibson said the water/sewer committee, Mike Decker and I have a scheduled meeting with the developer's engineer at 4:00 P.M. on Thursday. Alderman Curtis said if we do not have a policy to give us the authority to inspect the lines, we need to do a policy stating we can have an inspector of our choice with the developer paying the cost. Alderman Mashburn said the engineer has to sign off on these plans as having been followed. He said we can add a paragraph to our extension policy that there be an inspector on future water/sewer projects that is approved by the Town with the developer paying the cost for the inspector.

Mayor Collins said do we want to explore this property for expansion? He said there are three groups involved. He said we have the government, police and public works. Alderman Curtis said we need to get a building out somewhere adequate enough to service the public. Alderman Scott said I have talked to Janet Jacobs Greene and there are plans to have a retail type facility. He said I think that they would outgrow the Burrell Building in one to two years. He said it would be a great place for town hall. Mayor Collins said who is interested in exploring this piece of property? Nobody indicated any interest. Alderman Curtis said what about the Whitmire property? He said the Burrell Building does not solve our problem for the public works department. He said we cannot donate the Burrell Building to anybody. Mayor Collins said what do we do with the building? Alderman Williamson said I would like to ponder the plans for the Burrell Building further.

Mayor Collins said we are working on getting community service workers to pick up trash inside Town. He said Gerald Roper can supervise them. He said Tom Woodlee may be willing to help supervise them on Saturday. Mike Decker said we should have some workers by the end of the month. He said we plan to divide town into quadrants and try to do one area at a time.

Mike Decker said we have ten applicants for the new planner/code administrator job. Alderman Curtis, Alderman Hall, Alderman Williamson and Mike Decker agreed to serve on a committee to do the interviewing.

Alderman Scott said I have gotten some information from the League of Municipalities about substandard housing. He said I have been taking photographs on soil erosion violations around Town. He said the only thing anybody is doing is putting up silt fences but they are not being maintained. He said we have many problems with soil erosion. Mayor Collins said we can ask Josh Ward with the county to come to our next meeting. Alderman Scott said the erosion ordinance is not being enforced by Macon County. Alderman Curtis said nothing was contained at the old creamery property. The Board asked Mike Decker to ask Josh Ward to come to the next meeting.

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Mike Decker said I want to give you a very brief overview of the minimum housing code in North Carolina. He said the Town can adopt its own minimum housing ordinance. He said after talking with Jeff Fischbach with the state we would need to decide if we wanted to hire our own inspector or ask the county to enforce it for us. Information copies are attached.

Mike Decker said we have received a letter from Dr. Daryl Gosset asking the Town to check on a decaying oak tree on our property line at the Memorial Park. A copy of the letter is attached. He said I believe it is the corner marker for the property lines. The Board asked Mike Decker to get Dennis Stamey to look at the tree.

Mike Decker said House Bill 429 was recently enacted requiring local governments to pay monetary compensation for the removal of lawfully erected off-premise outdoor advertising signs. He said the law would require the government to pay up to five times the average amount of the annual gross revenue associated with the advertising.

Mike Decker said Joel Storrow has asked if the Town is ready to do bids on the West Main Street water line project. He said we are trying to get a loan from the state for this project as was indicated in our budget. The Board indicated that they wanted to try to secure the loan before putting the project to bid.

Mike Decker said the annual North Carolina League of Municipalities conference will be held in Raleigh on October 24 – 26, 2004. He said please let me know if you are interested in attending.

Mike Decker said we have received all our funding from the LEG-UP grant. He said I may need to go to Raleigh for one to two days of training in July.

Bobby Key said we have all the easements for the Baird Cove sewer line and have revised maps. **Motion was made by Curtis, seconded by Mashburn to accept the following easements. Motion carried. Vote: 6 to 0.**

- 1) Deed of Easement dated 14 January, 2004 from Leonard G. Bates and wife, Elizabeth A. Bates to the Town of Franklin.
- 2) Deed of Easement dated 14 January, 2004 from Verlin Curtis and Marvel Elaine Curtis to the Town of Franklin.
- 3) Deed of Easement dated 14 January, 2004 from Daniel Hayward Coates, unmarried to the Town of Franklin.
- 4) Deed of Easement dated 14 January, 2004 from Daniel R. Davis and wife, Trisha K. Davis to the Town of Franklin.

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- 5) Deed of Easement dated 19 May, 2004 from Marie Jennings, unmarried to the Town of Franklin.
- 6) Deed of Easement dated 19 May, 2004 from Paul T. Potts and wife, Faye F. Potts to the Town of Franklin.
- 7) Deed of Easement dated 14 January, 2004 from Dove Smith, widow of John Doyle Smith to the Town of Franklin.
- 8) Deed of Easement dated 19 May, 2004 from Claude S. Southard and wife, Evelyn J. Southard to the Town of Franklin.
- 9) Deed of Easement dated 19 May, 2004 from G. L. Sprinkle and wife, Sylvia J. Sprinkle to the Town of Franklin.
- 10) Deed of Easement dated 19 May, 2004 from Shirley Jean Tallent, formerly Shirley Wooten and husband, James Tallent to the Town of Franklin.
- 11) Deed of Easement dated 19 May, 2004 from Jean S. Wells, widow of Ross Wells to the Town of Franklin.

Motion was made by Mashburn, seconded by Williamson to do the following extension policy amendment: any line extension has to be inspected by an inspector of the Town's choice and the cost to be paid by the developer. Motion carried. Vote: 6 to 0.

Motion was made by Mashburn, seconded by Curtis to give Rick Green \$1.00 per hour raise for receiving his Grade A certificate and to give Bill Deal \$1.00 per hour raise for receiving his Level II certificate. Motion carried. Vote: 6 to 0.

Alderman Mashburn said we have been having problems getting the plans for the proposed High Unit Cost Sewer Line. He said the water/sewer committee needs to get complete plans. Mayor Collins said Macon County needs to share in the cost of our future expansions at the water treatment plant and the wastewater treatment plant. He said the taxpayers outside of Town are going to benefit from the expansion.

Alderman Curtis said what about the library request? Mayor Collins said I have a real problem with taxpayers living inside Town paying when the library is clearly a Macon County facility. Bobby Key said I think we need to look into giving to the building fund and see if it is legal. Alderman Scott said I think we should give a little bit since we all benefit from the library. Mayor Collins said why should the town taxpayers pay more? Alderman Roper said I think the \$20,000.00 annual contribution is enough. Alderman Hall said I agree. Alderman Curtis said the \$20,000.00 is sufficient. Alderman Mashburn said I am not ready to decide.

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

Mayor Collins adjourned the meeting at 9:25 P.M.

Joe Collins, Mayor

Janet A. Anderson, Town Clerk