



## Town of Franklin Board of Aldermen

### Agenda

November 7, 2016

7:00 p.m.

1. Call to Order- Mayor Bob Scott
2. Pledge of Allegiance- Vice Mayor Patti Abel
3. Adoption of the November 7, 2016 Town Board Agenda
4. Approval of October 3 and October 17, 2016 Town Board Minutes
5. Public Session
6. New Business
  - A.) Proclamation for Homes for Heroes Day- Mayor Bob Scott
  - B.) Proclamation for National Hunger and Homelessness Awareness Week- Mayor Bob Scott
  - C.) Street Closing Request for Franklin Chamber of Commerce Christmas Parade- Town Manager Summer Woodard
  - D.) Street Closing Request for New Year's Eve Ruby Drop- Tim Crabtree
  - E.) Budget Amendment- Finance Officer Kyra Doster
  - F.) Forward Bidwell Street Traffic Pattern to Town Planning Board for Review- Town Manager Summer Woodard
  - G.) Discussion on Flashing Traffic Light Pattern in Town- Town Manager Summer Woodard
  - H.) Letter of Support to Provide Local Funding Match for NCDOT Depot Street Sidewalk Project-Land Use Administrator Justin Setser and Town Manager Summer Woodard
  - I.) Discussion on Town Water Treatment Plant Upgrade and Expansion Project- McGill Associates and Town Manager Summer Woodard
  - J.) Presentation on Town of Franklin Website- Town Manager Summer Woodard and Land Use Administrator Justin Setser
  - K.) Tax Release- Town Manager Summer Woodard
7. Legal
  - A.) Resolution Regarding Handling of Minimal Tax Overpayments- Town Attorney John Henning Jr
  - B.) Amendment to Town Ordinance Regarding Utility Deposit and Utility Billing -Town Attorney John Henning Jr
  - C.) Revisions to Town Water and Sewer Extension Policy- Town Attorney John Henning Jr and Town Manager Summer Woodard

Announcements

  - A.) Veterans Day Parade and Ceremony Friday November 11, 2016 starting 10:30 a.m.
  - B.) Town Hall Offices will be closed Friday November 11, 2016 in Observance of Veterans Day
  - C.) Town Hall Offices will be closed Thursday November 24 and Friday November 25, 2016 for Thanksgiving
  - D.) Winter Wonderland will be Saturday November 26 and Saturday December 3, 2016 from 5:00 p.m. until 8:00 p.m.
8. Adjournment

### **November 7, 2016 meeting,**

The Town of Franklin Board of Aldermen held their regularly scheduled meeting on Monday November 7, 2016 at 7 p.m. in the Town Hall Board Room. Mayor Robert S. Scott presided. Vice-Mayor Patti Abel, Aldermen Joe Collins, Adam Kimsey, Billy Mashburn and Barbara McRae were present.

**Motion was made by McRae, seconded by Kimsey to excuse Alderman Brandon McMahan from the meeting. Motion carried. Vote: 5 to 0.**

The Pledge of Allegiance was done.

### **Adoption of November 7, 2016 Town Board Agenda**

**Motion was made by McRae, seconded by Kimsey to adopt the November 7, 2016 Agenda as presented. Motion carried. Vote: 5 to 0.**

### **Approval of the October 3 and October 17, 2016 Town Board Minutes**

**Motion was made Kimsey, seconded by Abel to approve the October 3 and October 17, 2016 meeting minutes as presented. Motion carried. Vote: 5 to 0.**

### **Public Session**

Mayor Scott – No person has signed up for the public session, but I do have one comment I would like to make. We are getting a little concerned about the water situation and drought, especially with the forest fires. We want our water customers to start voluntary conservation measures. We don't want to make this mandatory or anything, but simply cutting back. The creeks that still have water are moving slowly right now.

Summer Woodard – Town Manager – I did speak with our Water Plant Supervisor today, and he did want the Board to consider being cautious, given the trying times right now.

Mayor Scott – This is not a mandatory water conservation right now. Just voluntary.

### **New Business: Proclamation for Homes for Heroes Day**

**Motion was made by Kimsey, seconded by McRae to approve Proclamation designating May 3, 2017 as "Home for Heroes Day." Motion carried. Vote: 5 to 0. A copy of the Proclamation is attached.**

### **New Business: Proclamation for National Hunger and Homelessness Awareness Week**

**Motion was made by Kimsey seconded by McRae to approve Proclamation designating November 12-20, 2016 as "National Hunger and Homelessness Awareness Week." Motion carried. Vote: 5 to 0. A copy of the proclamation is attached.**

**November 7, 2016 meeting continued,**

**New Business: Street Closing Request for Franklin Chamber of Commerce Christmas Parade**

Franklin Chamber of Commerce Director Linda Harbuck gave an overview of the street closing requests for the 2016 Annual Christmas Parade.

Alderman McRae – I know that there is a couple of restaurants that serve brunch Sunday morning. Would that be a problem in terms of parking?

Linda Harbuck – Franklin Chamber of Commerce Director – We will speak with them, and if they are only doing brunch there shouldn't be an issue.

**Motion was made by Collins, seconded by McRae to approve street closing requests for the 2016 Annual Christmas Parade by the Franklin Chamber of Commerce. Motion carried. Vote: 5 to 0. A copy of the street closing requests are attached.**

**New Business: Street closing request for New Year's Eve Ruby Drop**

Tim Crabtree – Motor Company Grill – This will be our third year doing this. This will be the biggest, especially with it falling on a Saturday. We are requesting for the entire Main Street to be closed. We requested this last year and we had concerns about some logistics. I'll be happy to answer any questions you might have. I expect a lot of people will be traveling along the street, and we want to drop the Ruby in the square for aesthetic purposes, and to accommodate all businesses due to its centralized locations.

**Motion was made by McRae, seconded by Abel to approve requests to close down Main Street, Iotla Street, and Phillips Street from 5 p.m. December 31, 2016 until 2 a.m. January 1, 2017. Motion carried. Vote: 5 to 0. A copy of the request letter is attached.**

**Budget Amendment**

Kyra Doster – Finance Officer – This amendment will appropriate an insurance settlement, a sale of surplus property, and an incentive refund check to the appropriate line items for the Fire Department.

**Motion was made by Abel, seconded by Kimsey to approve budget amendment for Franklin Fire and Rescue. Motion carried. Vote: 5 to 0. A copy of the amendment is attached.**

**New Business: Forward Bidwell Street Traffic Pattern to Town Planning Board for Review**

Summer Woodard – Town Manager – At the Board's retreat meeting I know this item came up, so with that we brought it back to the Board for your formal meeting.

Justin Setser – Land Use Administrator – I have attached maps of Bidwell Street, from the North and South view. The aerial photo shows the three way stop as well which shows the current conditions.

**Motion was made by McRae, seconded by Abel to forward Bidwell Street Traffic Pattern to the Town Planning Board. Motion carried. Vote: 5 to 0.**

**November 7, 2016 meeting continued,**

### **New Business: Discussion on Flashing Traffic Light Pattern in Town**

Summer Woodard – Town Manager – This was another item that came up during the retreat. It was brought to our attention that at one time the Board decided to request the current street traffic pattern, and I know there is some concern with the Franklin Police Department and other residents.

Alderman Collins – What brought this up?

Alderman McRae – I've gotten some complaints about the pattern and I know there was an accident with one of our officers as well that may have been caused by this pattern.

Vice-Mayor Abel – What time does this pattern begin?

Summer Woodard – Town Manager – It starts at 11 p.m. until right at 5:30 a.m.

Mayor Scott – I think the excuse long ago was that nobody was out after 11 p.m.

Alderman Collins – Chief, is this a safety issue?

David Adams – Police Chief – I think so. It caused an accident with one of our officers there and I know some other wrecks have occurred that may have been caused by the flashing light, and drivers not knowing exactly how to respond to them.

Alderman Collins – To me the bigger problem is trying to cross Main Street and back street. Trying to cross from the Baptist Church to the High School is the bigger problem. And by the hospital. But nonetheless that's for a different day. I'm with it if Chief Adams is behind it.

**Motion was made by McRae, seconded by Kimsey to authorize Town Manager Summer Woodard to contact the N.C. Department of Transportation regarding traffic light pattern in Town. Motion carried. Vote: 5 to 0.**

### **New Business: Letter of Support to Provide Local Funding Match for N.C. Department of Transportation Depot Street Sidewalk Project**

Justin Setser – Land Use Administrator – You will see the letter drafted by the N.C. Department of Transportation. This is a letter of support for the sidewalk project on depot Street, to fill in the gaps of the sidewalks on the West bound side of Depot Street, and to build new sidewalks on the East side of Depot Street. This would be from East Main Street to Wayah Street, and this would require a twenty (20) percent match so they will move forward with it on our schedule.

Summer Woodard – Town Manager – The current estimated cost would be \$262,800 for this project, so our match would be \$52,560.00 and the Board can take that from our Powell Bill funds.

**November 7, 2016 meeting continued,**

Alderman McRae – This is something we have needed for a long time.

**Motion was made by Collins, seconded by Abel to authorize Town Manager Summer Woodard to send a letter of support to provide local funding match for the N.C. Department of Transportation Depot Street sidewalk project. Motion carried. Vote: 5 to 0.**

**New Business: Discussion on Town Water Treatment Plant Upgrade and Expansion Project**

Keith Webb – McGill Associates – Good evening. We received bids on October 13, 2016 for the Water Treatment Plant Upgrade and Expansion Project. Those bids were advertised pursuant to the General Statutes of North Carolina, and we have a total of three bids. You have those bids in your packet. The lowest bid was for \$2,835,000.00. Each of the bids exceeded the estimated project construction budget of \$2,549,250.00. The project is being funded through a loan from the N.C. Environmental Quality Water Infrastructure Fund. We discussed the options with the Town Manager and Public Works Director, and took those discussions to the Utilities Board. Our recommendation is to reject all three bids, and to reevaluate and redesign the project to get it within the budget. And perhaps look at other ways to decrease the costs of the project. One possibility is for the Town to purchase the main piece of equipment, and supplying that to the bidder. We have also discussed the possibility of prequalifying the bidders before the next round of bids so that there is a better comfort level with all the bidders. The Division of Water Infrastructure has to approve our recommendation to reject the bids, and I think that's a formality. I'll be glad to answer any questions you might have.

Alderman McRae – Where are these companies located?

Keith Webb – McGill Associates – Buchanan & Sons are in Dillsboro; Frizzell is in Tennessee and Langston is in South Carolina. Frizzell is currently working on a project with McGill Associates to build a new water treatment plant for Fontana Village, and other projects currently underway in Gatlinburg, TN., and Jefferson City, TN. Langston recently completed a new raw water intake for the Town of Highlands. And Buchanan & Sons has done work for the NCDOT on the new rest area in Waynesville, and some treatment plant improvements for the Town of Sylva. So we are familiar with all of them. Buchanan probably has done more work for us than anything else. But we think it is in the best interest of the Town to reject the bids. And I think the Town Manager can touch more on that too.

Summer Woodard – Town Manager – Management does agree with McGill's recommendation, and if the Board does reject all bids we will still be on time to complete the project on schedule, because we did build in some leeway.

**Motion was made by Kimsey, seconded by Abel to accept the recommendation of Management and McGill Associates to reject all three bids and to rebid the project. Motion carried. Vote: 5 to 0.**

**November 7, 2016 meeting continued,**

**New Business: Presentation on Town of Franklin Website**

Town Planner Justin Setser presented the new upgrades made to the Town of Franklin website, [www.franklinnc.com](http://www.franklinnc.com).

**New Business: Tax Release**

Summer Woodard – Town Manager – I just wanted to make the Board aware that I did a tax release of \$9.31 for Daniel Seay Development Corporation.

**Legal: Resolution Regarding Handling of Minimal Tax Overpayments**

John Henning Jr. – Town Attorney – This will allow the Tax Collector to carry an overpayment of \$15 or less to hold it on their next tax liability bill, unless they make a request for a refund. It will be effective for the new tax year.

**Motion was made by Collins, seconded by McRae to adopt the Resolution as presented. Motion carried. Vote: 5 to 0. A copy of the Resolution is attached.**

**Legal: Amendment to Town Ordinance Regarding Utility Deposit and Utility Billing**

John Henning Jr. – Town Attorney – This amendment will line-up our ordinance to current policy and practices, and give the Town Board flexibility by the Board Ordinance on an annual basis. It will also conform to our current deadline and cutoff dates.

**Motion was made by Kimsey, seconded by Abel to adopt the Ordinance Amendment as presented. Motion carried. Vote: 5 to 0.**

**Legal: Revision to the Town Water and Sewer Extension Policy**

John Henning Jr. – Town Attorney – This addresses a guideline of what we follow in terms of our utility extensions. This hasn't been pressing with the recession, but I think now is a good time to revisit this policy and make sure the Board is comfortable with it. And also this deals with the recent Supreme Court decision in terms of impact fees. I've reviewed our ordinances and policies, and we are fine. A couple of changes in this extension policy to make it even more clear that we are steering well clear of the unlawful practice as possible.

**Motion was made by Mashburn, seconded by Kimsey to approve changes to the Town of Franklin's Water and Sewer Extension Policy as presented. Motion carried. Vote: 5 to 0. A copy of the revisions are attached.**

John Henning Jr. – Town Attorney – I've handed out two ordinance revisions for the Board to consider over the next month. One deals with fire inspections and the other deals with extra territorial jurisdiction of our police officers. Please review these and we will look at them next month.

**November 7, 2016 meeting continued,**

**Announcements:**

Veterans Day Parade and Ceremony will be Friday November 11, 2016 starting at 10:30 a.m.  
Town Hall Offices will be closed Friday November 11, 2016 in Observance of Veterans Day  
Town Hall Offices will be closed Thursday November 24 and Friday November 25, 2016 for Thanksgiving  
Winter Wonderland will be Saturday November 26 and Saturday December 3, 2016 from 5 p.m. until 8 p.m.

**Adjourn**

**Motion was made by McRae, seconded by Collins to adjourn the meeting at 7:48 p.m. Motion carried.  
Vote: 5 to 0.**

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Robert S. Scott, Mayor

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Chad B. Simons, Town Clerk

