

October 2, 2017 meeting,

The regular meeting of the Franklin Town Council was held on Monday October 2, 2017 at 7 p.m. in the Town Hall Board Room. Mayor Robert S. Scott presided. Vice-Mayor Patti Abel, Council Members Joe Collins, Adam Kimsey, Brandon McMahan and Barbara McRae were present.

The Pledge of Allegiance was done by Vice-Mayor Patti Abel.

Motion was made by Abel, seconded by Kimsey to excuse Council Member Billy Mashburn from the meeting. Motion carried. Vote: 5 to 0.

Adoption of the October 2, 2017 Town Council Agenda

Council Member Brandon McMahan – I wanted to ask how the Board would feel about closing Bidwell Street for a few hours on Halloween.

Motion was made by Collins, seconded by McRae to add Bidwell Street discussion to the agenda as item (F) and to approve the agenda as amended. Motion carried. Vote: 5 to 0.

Approval of the September 5, 2017 Town Council minutes

Motion was made by McRae, seconded by McMahan to approve the September 5, 2017 meeting minutes. Motion carried. Vote: 5 to 0.

Public Hearing 7:05 p.m. – Regarding Senate Bill 155 “Brunch Bill”

Bill Van Horn – I am for the brunch bill. One reason is that I see that it would benefit some of our local businesses by allowing them to serve alcohol on Sunday morning. Secondly, I have friends who come from outside of town and they enjoy having a cocktail. If I were to take them out for brunch on a Sunday morning they would very much enjoy the opportunity to purchase a cocktail with Sunday brunch. I hope you will vote favorably because I believe it will help our businesses and that it will support tourism in our town.

Lenny Jordan – I also want to say that I’m in support of the brunch bill even though it won’t directly affect Lazy Hiker. I think this will put us more in line with other locales. When people come from out of town it will help. Tourism is our business and the brunch bill puts us in line with other locations. I have friends who customarily drive out of Macon County and Franklin to have brunch in other locations, not necessarily always drinking but they do have that option. I would just encourage you all to vote for this bill. I think it would be good for the town in general and bring in more revenue.

Public Session

Bill Van Horn – I want to talk about downtown parking. I’ve been here since 2002 and the issue has come up multiple times. From my perspective, I’m for a change. I have to believe that any change will be better than the situation we have right now. My wife drives a Subaru and I drive a Chevy Crew Cab truck. Sometimes my wife allows me to drive her Subaru. Whether I drive it or my truck, every time I drive down Main Street I’m apprehensive. I’m apprehensive about people stepping out. I’m apprehensive about people parking Suburbans or trucks like mine in those spots.

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Bill Van Horn – Heaven forbid that two truck drivers park right across from each other. Another issue related to that is that I hope your Town Planner and your Town Engineer will look at just truck parking in general. When I drive my truck and I'm coming downtown I'll either park in the Town Hall parking lot or I'll park in one of the parallel parking spaces at the end of Main Street just before you get to the light. Or I'll drive around and try to find a spot in the lot behind Wells Fargo or behind Rathskeller. I hope you will have people look at where large trucks can park. I would encourage people not to park big trucks on Main Street.

Jimbo Ledford – Good evening. I agree with these two guys. I am here with some of my associates representing Jepaca. I'm here to ask for the Town's permission, cooperation and guidance where necessary to hold an outdoor, beer, craft, art, and music festival at the Whitmire Property. We would hope to hold this early in the spring and coordinate it with events that are already going on for Trail Days. This would be a town wide celebration. We already have people coming in for Trail Days and we think we could get even more people off the trail for this celebration. It's a weekend long celebration with camping, local food, local breweries, local art, local crafts, with some big headline music, a second stage for local bands. We're very early on in this process obviously. We don't want to put too much time into it until we have the venue. We would ask the Town for permission to use the Whitmire Property and further down the line we would need bathroom facilities, use of the Macon County Transit—I know this would mean crossing some lines but I think those can be merged. We would need an event drinking pass for the weekend which would include 10:00 a.m. on Sunday. We would need security, help with tables and anything like that. A liaison from the Town Board, preferably myself to work with coordination of this event. We think we could provide a boost to this economy that we could work with different groups that are already doing things of this nature. We think we could work together with local food merchants, local breweries. We know we could immediately impact the economy. This isn't a pipe dream, it's already in the works. We're going to help fill the rooms, help with the room occupancy tax. There are jobs we need to fill. I know you guys can't vote on it tonight but if we could get on the agenda for next month we could come up with a comprehensive plan that would include shuttle services, bands, whatever you want to see.

Angela Moore – I am here to make the board aware of a situation that has been gravely mishandled. Tonight, you have been asked once again to set a public hearing for a change to the UDO. This has been billed as a simple formality or a simple definition change, but it is anything but that. Though I support the change whole-heartedly, the way that it has been presented to you is intentionally deceptive and grossly inaccurate. The issue was first presented on August 7, 2017 as an agenda item at the meeting and not advertised to the public. When discussed the board was told it was to iron out a slight difficulty and I quoted that. The board was encourage to set a public hearing at the next month's meeting and assumed the planning board would forward it. When Council Member Collins did not set the hearing, he was again encouraged by the Town's Attorney to add the hearing to his motion. Admirably, Council Member Collins spoke up about his hesitance but when he asked if it was pro forma—simply a formality, he was told that it was so he amended his motion. This matter is not pro forma. Currently an apartment is defined as a structure of at least two stories where dwelling units are located above other units. This means that you cannot take a two story house and rent each story as separate units in residential zoning. This in no way prohibits extended family living in your basement. I find the current law to be unreasonable and happy to see the change but I'm appalled that it would be changed by manipulating and deceiving this board.

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Angela Moore - On behalf of my neighbors I've been complaining about an illegal apartment that was established in our neighborhood, after all the rules, even the bad ones should be the same for all of us. The Town ignored my complaints for months on end and then instead of enforcing the rule the staff was asking you to change the law as a simple formality. What the motivations were, I can't imagine but they were trying to hide their actions. Fast forward to the planning board meeting two weeks later. It was brought to the attention of the Town Planner who then brought it to the attention of the Town Attorney that the requirement for ordinance 152.161 that an application for a change to the UDO shall be filed not less than 30 days before the meeting that it is to be considered. The application was only 15 days old. Through the Town Planner the Town's lawyer counseled the planning board to proceed contrary to the Town's ordinance. This type of conduct from public servants demands answers. It was put on the agenda late, falsely billed to the board as a formality and pushed a public hearing too quickly. To add to this it was sent illegally to the planning board and the planning board was told to disregard the law. While this change is a good one, this incident demands an investigation. For this issue I would strongly urge the board to investigate why the Town Attorney and Town Planner were pushing this through quickly, quietly, and at times illegally.

New Business: Board Action on Senate Bill 155 "Brunch Bill"

Motion was made by McRae, seconded by Kimsey to adopt an ordinance to expand the hours in which alcoholic beverages may be sold on Sunday within the corporate limits of the Town of Franklin. Motion carried. Vote: 5 to 0. Ordinance is attached.

New Business: Street Closing Request for Ruby Drop

Tim Crabtree – We're trying to incorporate all businesses on Main Street into this event to make it a Town event. It gets bigger each year so since this year New Year's Eve is on a Sunday our request is to close Main Street at 5:00 p.m. until 2:00 a.m. We expect to get cleaned up before 2:00 a.m. in which case we could let police officers know and they could open up earlier. So our request would be to close all of Main Street from down at the hospital and up to the funeral home.

Mayor Scott – I have one question. You would like to have the Ruby Drop in the intersection?

Tim Crabtree – Yes, that's what we would like to do. We would put the crane by the clock tower and extend it over the intersection. It would clear the traffic lights. If the closing is approved, I would like to contact the state about possibly turning those lights off.

Nathanael Moore – Town Engineer – The main controller is in the large aluminum box. They could probably be shut off. If it moves forward I'll get you some contacts.

Police Chief David Adams – I think that's a little early to shut down Town with the bridge out. We would have to reroute so many vehicles around the hospital. I think it would be a mess to shut down that early.

Tim Crabtree – When do you think would work?

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Police Chief David Adams – 7:00 or 8:00 p.m.

Summer Woodard – Town Manager – Would that give you guys enough time to set up?

Tim Crabtree – If we move our entertainment out of the street and on to the square we would have enough time. We've done our entertainment in the street in the past but if we don't have to set up at a stage in the street we would be fine.

Council Member Adam Kimsey – Would it be possible to close Iotla Street earlier? Then we could close Main Street later.

Council Member Patti Abel – So we could close Iotla Street at 5:00 p.m. and then Main Street at 7:00 p.m.

Motion was made by Abel, seconded by McMahan to close Main Street on December 31, 2017 from 7 p.m. until 2:00 a.m. and Iotla Street from 5:00 p.m. until 2:00 a.m. Motion carried. Vote: 5 to 0.

New Business: Set Public Hearing for Event Venues

Land Use Administrator Justin Setser presented this item.

New Business: Set Public Hearing for Dwelling Unit Apartments

Land Use Administrator Justin Setser presented this item.

Motion made by McRae, seconded by Abel to set a public hearing regarding event venues for November 6, 2017 at 7:05 p.m. and a public hearing regarding Dwelling Unit Apartments on November 6, 2017 at 7:10 p.m. Motion carried. Vote: 5 to 0.

New Business: Update on Town of Franklin Festivals for 2017

Town Manager Summer Woodard presented this item.

New Business: Bidwell Street Closing on Halloween

Council Member Brandon McMahan – I just wanted to bring up and see what the Board and Chief Adams thought of closing Bidwell Street on Halloween night because there are so many people trick or treating. I lived on Bidwell for a while and it appears that it could be a safety concern.

Police Chief David Adams – I actually think it would be a great idea.

Council Member Joe Collins – Where would the cars park?

Council Member Brandon McMahan – A lot of them park at the old Ingles or the other businesses around that area.

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Council Member Barbara McRae – We do want our kids to be safe.

**Motion was made by Collins, seconded by McRae to close Bidwell Street from 5:00 p.m. to 9:00 p.m.
Motion carried. Vote: 5 to 0.**

Legal: Update on Minimum Housing Code Enforcement

Town Attorney John Henning Jr. presented this item.

Items from the Board

No items from the board.

Announcements

Town of Franklin Free Family Movie Night Friday October 6, 2017 at 8:00 p.m. The movie will be Trolls.

21st Annual Pumpkin Fest Saturday October 21, 2017 from 9:00 a.m. until 4:00 p.m.

Adjournment

Motion made by McRae, seconded by Abel to adjourn the Town Council meeting at 7:38 p.m. Motion carried. Vote: 5 to 0.

Robert S. Scott, Mayor

Travis Tallent, Town Clerk

