

Town of Franklin Board of Aldermen
Meeting Agenda
Tuesday September 2, 2014 - 7:00 p.m.

1. Call to order- Mayor Bob Scott
2. Pledge of Allegiance
3. Adoption of September 2, 2014 Proposed Agenda
4. Approval of the August 4, 2014 Board Minutes
5. Public Session
6. New Business

Proclamation for Job Corp Day - Mayor Bob Scott

Proclamation for Constitution Week - Mayor Bob Scott

Presentation by Applicants for Fiscal Year 2014-2015 Non-Profit Funding Pool

Set Public Hearing for Rezoning Petition for one (1) parcel on Highlands RD to Town Planning Board - Justin Setser
Land Use Administrator

Set Public Hearing for Rezoning Petition for (3) parcels on Traces Place to Town Planning Board - Justin Setser
Land Use Administrator

Resolution Authorizing Town Manager to Apply for State Revolving Loan Funds for the Town of Franklin Water
Plant Expansion - Town Manager Summer Woodard

Budget Amendment for the Tourism Development Authority - Town Manager Summer Woodard

Update on Memorial Park / Crawford Branch Riparian Restoration Project - Town Manager Summer Woodard

Discussion on Town of Franklin Logo - Mayor Bob Scott

7. Legal

Tax release - Town Attorney John Henning Jr.

Discussion on Business License Ordinance - Town Attorney John Henning Jr.

Update on Property Located at 415 Forest Ave - Town Attorney John Henning Jr.

Macon County Tax Bill for Old Town Hall Property - Town Attorney John Henning Jr.

8. Set continuation meeting for Monday September 15, 2014 at 5:30 p.m.

September 2, 2014

The regular meeting of the Town of Franklin Board of Aldermen was held on Tuesday, September 2, 2014 at 7:00 P.M. in the Town Hall Board Room. Mayor Robert S. Scott presided. Aldermen Patti Abel, Joyce Handley, Farrell Jamison, Billy Mashburn and Barbara McRae were present. Alderman Verlin Curtis was absent.

Motion was made by McRae, seconded by Abel to excuse Aldermen Curtis from the meeting. Motion carried. Vote: 5 to 0.

Pledge of Allegiance

The Pledge of Allegiance was done.

Adoption of the September 2, 2014 Proposed Agenda

Motion was made by Handley, seconded by Jamison to adopt the September 2, 2014 Proposed Agenda. Motion carried. Vote: 5 to 0.

Approval of the Minutes

Motion was made by McRae, seconded by Handley to approve the August 4, 2014 Board Minutes as presented. Motion carried. Vote: 5 to 0.

Public Session

Bill Van Horn – representing Franklin Appalachian Trail Committee – As the recently elected chairman of the Franklin AT Committee, I just wanted to recognize other members of the committee and state the names of the organizations they represent. Matt Bateman with Venture Local Franklin and Karen Wallace with the Macon County Library. Before I forget, our inaugural member is Mayor Bob Scott and our newest member is Alderman Patti Abel. As a reminder, the committee serves at the pleasure of the Town of Franklin, and our mission is to seek the mutual benefit of the trail, its users and the community. The committee supports any action you take to recognize Franklin as an outdoor recreation hub. The committee believes the town logo represents the best of what the Town of Franklin has to offer. In the spring of 2009, one of the committee's first actions was to help with the Town of Franklin logo.

Sue Weathers – representing Uptown Gallery in Franklin – We've been part of Franklin for over 50 years, and I want to point out to you that we are open to anybody in the community. Whatever we do, it is open. As membership goes, we are open to artists in two dimensional and three dimensional media. We encourage people to support us. We feel that without Uptown Gallery on Mainstreet the community would lose an anchor. When I asked our gallery committee what the town would be like without the gallery, they said it would just be somewhere to go to get your car fixed. We want to continue to help Franklin be a destination town. We are having art shows on the third Saturday of every month and that will continue until October. I'm here to invite everybody to come, from 9:30 a.m. to 4:00 p.m. You will be able to meet our members and our gallery will be open.

September 2, 2014 meeting continued,

Alderman Abel – How many members do you have?

Sue Weathers- We have about 55 or 60 right now.

Matt Bateman – Venture Local Franklin – I would like to echo Mr. Van Horn’s sentiments about the AT community and our efforts there. The reason that I’m here is for the cash mob. We just recently held our 20th cash mob. They have been very successful. We constantly average at least 20 people during these mobs. So this moves me to my invitation. Venture Local Franklin and Cash Mob Franklin is reaching out across the mountain. The recent fire in downtown Sylva on August 16, 2014 shutdown Main Street. The cash mob is September 5, 2014. We will meet at the old courthouse, and I think it will be an awesome gesture.

New Business - Proclamation for Job Corp Day

Mayor Scott read Proclamation expressing support for designation of August 20, 2014, as “Job Corps Day.”

Motion was made by Mashburn, seconded by McRae to adopt the Proclamation expressing support for the designation of August 20, 2014, as “Job Corps Day.” Motion carried. Vote: 5 to 0. The Proclamation is attached.

New Business - Proclamation for Constitution Week

Mayor Scott read Proclamation to designate September 17-23, 2014 as Constitution week.

Motion was made by Handley, seconded by McRae to adopt Proclamation to designate September 17-23, 2014 as Constitution Week. Motion carried. Vote: 5 to 0. The Proclamation is attached.

New Business - Presentation of Applicants for Fiscal Year 2014-2015 Non-Profit Funding Pool

Mayor Scott- I will ask presenters to keep it to four or five minutes. The board is just listening to presenters. We are not taking any action tonight. We will vote on them at our continuation meeting on September 15, 2014.

Bobbie Contino - Arts Council of Macon County – We have one of the most wonderful boards in the world. You have seen our proposal. Does anyone have any questions? We serve our community by bringing in a wide variety of programs.

Christy Armstrong – Franklin Community Care Clinic – In 2013 we became self-sustaining. We became our own 501(c)3, and that’s why we are here. We are pursuing a lot of different grant opportunities. We were recently awarded a \$15,000 grant from the Sisters of Murphy.

September 2, 2014 meeting continued,

Susan Parrot – Franklin Garden Club – As you know the clock tower and Rankin square gardens are maintained by club members who volunteer their time to keep the area attractive. Club dues are annual sales, donations, Macon County annual funding of \$2,500 and your funding. As we look to the coming year, we know that the beds will need winterizing with mulch and then in the spring the soil has to be mended. Sometimes outside labor is required. There is also concern about the large oak tree by the clock tower. We hope to be able to preserve it. With your continued support, the gardens will remain a source of pride for our town.

Alicia Ashe – Kid’s Place – We are requesting funding to continue to provide services. We were fortunate to attain a governor’s crime commission grant, and it does require a twenty (20) local match. You would help us raise that twenty (20) percent. We would appreciate your consideration.

Scott Moritz – Macon County CareNetwork – Does anyone have any questions about our proposal? Our use for this grant would be to put in a walk-in freezer in our warehouse. We have contacted an electrician to make sure it’s ready to go. There are additional programs that we will be eligible for if we had more freezer space. This will allow us to get that funding. We also run into issues of accommodating donations.

Rick Westerman – Macon County Habitat for Humanity – We have changed our name to Macon/Jackson. Everything we get from Macon stays in Macon, so that needs to be known. We now have two stores here in Franklin and Sylva. We’ve also started a chapter at Western Carolina University. We started a repair program eight years ago. This money is going to be used for repairs.

John Word – Macon County Habitat for Humanity Outreach Director – Inside the city limits, Brenda Berry and Charles Welch received a new roof replacement. Grady Passmore ended up getting some wall repairs. We also replaced a water heater. We’ve done a lot of work for Smoky Mountain Pregnancy Center. We are starting to receive requests for more repairs throughout the next year, which is why we are making this request.

Robert Shook- Macon County Historical Museum – I do have some concerns about the museum. We have had a great year. We got some great Civil War weapons. Some of these are very rare. I have to protect these guns. I need to upgrade our security, but I need a gun safe. Our system we have now is old. It’s limited. There are some vulnerable spots, as well as a gun safe. I wouldn’t want the public to know what these weapons are worth.

Alderman Jamison – Last year we requested to get an update on the third floor renovations. How are we doing? That’s what it’s been for the past several years.

Robert Shook – We are doing very good. The two rooms that were the most heavily damaged in the fire need walls. But everything else is complete. It looks really good.

Alderman McRae – Have you had an estimate for the safe?

Robert Shook – Yes. We actually have. We got \$100 off. We can get it for about \$600.

September 2, 2014 meeting continued,

Karen Wallace – Macon County Public Library – Thanks for considering our application for our reading rover mobile. We offer opportunities for kids of all ages. A lot of pre-school children are in child-care centers, so we bring our reading rover mobile to these centers. We partner with schools, parents and staff. Our reading rover is all about partnerships. The funds will be used to staff a vehicle.

Jennifer Lynn – REACH of Macon County – We provide services for Macon County. We are getting a new shelter because we really need one. We are having to refer families to other places because we don't have enough space. We are glad to have the partnerships. We are glad that we have a town that provides services.

Nancy Deeks – Scottish Tartans Museum – Our museum has been here since 1996. It's the only Scottish Tartan Museum in the world. Our primary source of income is sales of Scottish items and dress that we sell online or directly to people. And that income has not been as good as it has been in past years. We were at one point doing really well. The bad news is that we are \$55,000 in the red. The good news is that we have Jim and Kathy Akin, and they are helping run the museum as volunteers. We are cutting everything we can. If the museum fails, and it's quite possible, we just have poor cash flow. We can't pay our bills. We are not getting ahead.

Alderman Jamison – On your application I noticed that you have not had a board meeting in the past fourteen (14) months?

Nancy Deeks – No. We've had three (3) meetings in the past several months.

Alderman Jamison – I would like to see an up to date copy of the minutes. We need to look at them.

New Business - Set Public Hearing for Rezoning Petition for One (1) Parcel on Highlands Road

Justin Setser- Land Use Administrator – In your packets you will see the petition. It was reviewed by the Planning Board. We just need to set this for a public hearing.

Motion was made by McRae, seconded by Jamison to set a public hearing for rezoning petition for one (1) Parcel on Highlands Road on Monday October 6, 2014 at 7:05 p.m. Motion carried. Vote: 5 to 0.

New Business - Set Public Hearing for Rezoning Petition for Three (3) Parcels on Traces Place

Justin Setser – Land Use Administrator – In your packets you will see the petition.

Mayor Scott – Do you foresee any opposition to this?

Justin Setser – There might be a little on this one. The planning board's recommendation was denial.

Alderman Jamison – But we still have a public hearing.

Motion was made by Handley, seconded by McRae to set a public hearing for rezoning petition for three (3) parcels on Traces Place on Monday October 6, 2014 at 7:10 p.m. Motion carried. Vote: 5 to 0.

September 2, 2014 meeting continued,

New Business - Resolution Authorizing Town Manager to Apply for State Revolving Loan Funds for the Town of Franklin Water Plant Expansion

Summer Woodard –Town Manager– If you recall from our previous meeting with McGill the board was gracious enough to authorize me to begin conversing about how to proceed to see where we could go with this project. The resolution you have before you simply authorizes me to file an application on behalf of the Town of Franklin. One thing that I do like about this is that at any point in time we can withdraw our application.

Motion was made by Jamison, seconded by Abel to approve the resolution authorizing Town Manager Summer Woodard to apply for State Revolving Loan Funds for the Town of Franklin Water Plant Expansion. Motion carried. Vote: 5 to 0. Resolution is attached.

New Business - Budget Amendment for the Tourism Development Authority

Summer Woodard – Town Manager – The Tourism Development Authority at their board meeting on August 10, 2014 requested to up the cost of their budget to \$18,400 for a Pandora Radio App. This approval would allow the Tourism Development Authority to dip into their reserves and get \$18,400 to spend on the Pandora App. I also need a budget amendment because we only budgeted \$100,000. John Henning will go into more detail.

John Henning – Town Attorney – The session law in 2004 that created the Town of Franklin Tourism Development Authority specified that the governing body has to budget their funds and manage it. You do set a yearly \$100,000 budget because that has roughly been the collection of their room occupancy taxes. The town also set aside a reserve fund that has always been Tourism Development Authority funds. They are the only authority who can use the funds, because the money comes from collected occupancy taxes.

Motion was made by Handley, seconded by McRae to adopt the Resolution and Budget Amendment granting the Franklin Tourism Development Authority permission to use \$18,400 of reserve funds, and to change the resolution to state \$18,400. Motion carried. Vote: 5 to 0.

New Business - Update on Memorial Park/Crawford Branch Riparian Restoration Project

Summer Woodard – Town Manager – I have some good news. Myself and Town Planner Justin Setser embarked on this journey a few months ago. We have worked closely with Little Tennessee Land Trust to see what we could do with memorial Park. We applied for some Duke funds and we were granted \$20,000. We are looking at starting March or April 2015. We are also working with Macon County Soil and Water Conversation, and they want to help setup a rain garden to alleviate runoff.

September 2, 2014 meeting continued,

New Business - Discussion on Town of Franklin Logo

Mayor Scott- I would like to let people use our logo to get our name out there. I know Alderman Jamison raised the concern about the cost of changing our logo. Would you mind if we just used up the current stock.

Alderman Jamison – Yes. I just want to make sure before we embark on something that will cost us money, that we have a timeline and budget for it next year.

Mayor Scott- I don't see a lot of expense right now. I do know a lot of folks who might want to use it. There is no copyright on it.

Motion was made by McRae, seconded by Abel to adopt the official Town of Franklin logo. Motion carried. Vote: 5 to 0. The logo is attached.

New Business - Tax Release

John Henning – Town Attorney - There are a number of tax releases due to clerical errors. They are being recommended by the tax collector. The only thing you need to do is to approve the releases due to clerical errors.

Motion was made by Handley, seconded by McRae to approve the tax releases due to clerical errors as presented. Motion carried. Vote: 5 to 0. Tax releases are attached.

New Business - Business License Ordinance

John Henning – Town Attorney – We can no longer collect business license taxes beginning next year. There are other purposes that the business license tax serves, and last year, we spelled it out in an ordinance that no business could obtain a privilege license unless they were approved by our zoning administrator to ensure they were zoned correctly. I would like for us to work on an ordinance that would cite each business, for the health and safety of the town, who is doing business, what they are doing, and zoning issues. It will take a couple of months to get them developed. This is not a money-making endeavor. Maybe we should organize an ordinance review committee.

Mayor Scott – How many can we put on that type of committee?

John Henning – I think we had three (3) aldermen serve on the last one. You as Mayor can appoint.

Alderman Jamison – We do need to know what is going on in the town. Without that license we don't know what's opening up. We also need to compensate for the time required to do this.

September 2, 2014 meeting continued,

New Business - Update on Property Located at 415 Forest Avenue

John Henning – Town Attorney – I have continued to look into this situation. What is it worth and what we are prepared to spend on rehabilitating these properties. I know we received a lot of complaints and I have no doubts that they have violated the nuisance ordinance. You can authorize me to sue them on behalf of the town. We will sue the parties who own these lots. We will ask for an order to go in and clean it up. Once you do that it will become a lien against the property, a judgment lien in the amount that it costs us to clean it up. It's a lot less clear if I can get your money back once we clean it up. From what I've studied, you may never get your money back. Let's get to a judgment and we will get a new quote and we will go clean it up. I just can't promise you anything.

Alderman Handley- We can't leave that neighborhood that way. People are tired of looking at it.

Alderman Abel – How can we ensure that the property won't go back into this condition after we clean it up?

John Henning – Town Attorney - The cost of cleaning it up becomes a lien against the property. The problem with enforcing the ordinance this way is that we are a low priority in comparison to tax liens. We do have some tax liens against this property too, but if you go and execute judgment and sell the property, it's going to be subject to all the other liens that we're already on it. We will have to work through clearing those things up. We will not own it. So that's a good point.

Motion was made by Handley, seconded by McRae to authorize town staff to proceed with judicial enforcement of the zoning and nuisance ordinance against the three parcels. Motion carried. Vote: 5 to 0. The parcels are attached.

New Business - Macon County Tax Bill for Old Town Hall Property

John Henning - Town Attorney- We are disputing the value of a piece of Town property. I would ask the board to authorize myself and town staff to pursue any available administrative remedies for that.

Motion was made by Jamison, seconded by Mashburn to authorize Town Attorney and Town Manager to take actions to formally challenge value of Town Hall Property. Motion carried. Vote: 5 to 0.

Announcements

Mayor Scott- We need to set a continuation meeting for Monday September 15, 2014 at 5:30 p.m. in the Town Hall Boardroom.

September 2, 2014 meeting continued,

Continuation of Meeting

At 8:30 P.M., motion was made by Jamison, seconded by Abel to continue the meeting until Monday, September 15, 2014 at 5:30 P.M. in the Town Hall Board Room. Motion carried. Vote: 5 to 0.

September 2, 2014 meeting continued,

The regular September 2, 2014 meeting of the Town of Franklin Board of Aldermen was continued at 5:30 P.M., Monday, September 15, 2014 in the Town Hall Board Room. Mayor Robert S. Scott, Aldermen Patti Abel, Verlin Curtis, Joyce Handley and Farrell Jamison were present.

Motion was made by Curtis, seconded by Jamison to excuse Aldermen Billy Mashburn and Barbara McRae from the meeting. Motion carried. Vote: 4 to 0.

New Business Discussion on the Nonprofit Funding Pool Applications

Summer Woodard – Town Manager – The total request for funds totaled \$45,500. We only have \$40,000.

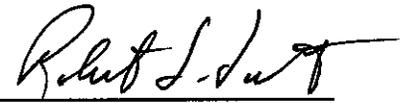
After some discussion, motion was made by Curtis, seconded by Handley to give the following allocations, and to deduct \$57.00 from each request to total \$40,000. The breakdown of the requested total is listed below.

Arts Council of Macon County	\$2,944.00
Franklin Community Care Clinic	\$4,944.00
Franklin Garden Club	\$2,500.00 from Beautification Line-Item
KIDS Place	\$4,944.00
Macon County Care Network	\$4,944.00
Macon County Habitat for Humanity	\$4,944.00
Macon County Historical Museum	\$4,944.00
Macon County Public Library	\$2,500.00
Reach of Macon County	\$4,944.00
Scottish Tartans Museum of funds)	\$4,944.00 (Contingent on more information about use

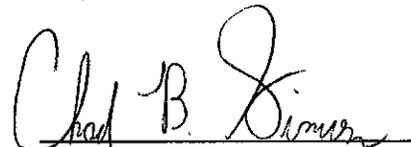
Motion carried. Vote: 4 to 0.

Adjournment

Motion was made by Jamison, seconded by Handley to adjourn the meeting at 6:00 P.M. Motion carried. Vote: 4 to 0.



Mayor Robert S. Scott



Chad B. Simons, Town Clerk