

Town of Franklin Board of Aldermen

Agenda

October 4, 2010

7 p.m.

1. Call to order – Mayor Collins
2. Approval of the September 7, 2010 minutes
3. Public session
4. Consideration of proclamation for Mental Illness Awareness Week – Debbie Roberts/NAMI Appalachian South
5. Consideration of request for non-profit funding from Macon County Care Network – Vanessa Bailey
6. Consideration to make Bidwell Street one-way from 5:30-8:30 p.m. on October 31 – Vanessa Bailey
7. Consideration of request for non-profit funding from the Arts Council of Macon County – Bobbie Contino
8. Town Attorney
  - (A) NC Local Government Debt Setoff Program
  - (B) Annexation resolution of intent
  - (C) Minimum housing code

**October 4, 2010**

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, October 4, 2010 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Jerry Evans, Joyce Handley, Billy Mashburn, Carolyn Pattillo and Bob Scott were present.

**Approval of the minutes**

**Motion was made by Handley, seconded by Pattillo to approve the minutes for the September 7, 2010 meeting with the following deletion: He said we can close it only for this one event. Motion carried. Vote: 6 to 0.**

**Public session**

Dan Williams – I have a water meter problem. What are you doing about this problem? I cannot determine what happen to the water.

Mayor Collins – We are custodians of the Town’s money. We are staying with our policy that if the water goes through the meter it is the customer’s responsibility.

**Consideration of proclamation for Mental Illness Awareness Week – NAMI Appalachian South**

Debbie Roberts said NAMI Appalachian South is doing a lot of education about mental illness. She said mental illness is a treatable illness.

**Motion was made by Pattillo, seconded by Mashburn to proclaim October 3, 2010 through October 9, 2010 as Mental Illness Awareness Week in Franklin. Motion carried. Vote: 6 to 0. A copy of the proclamation is attached.**

**Rick Norton – Macon County**

Rick Norton said Macon County is applying for a block grant in the amount of \$400,000.00. He said the municipalities inside Macon County need to decline participation.

**Motion was made Mashburn, seconded by Evans to decline participation in the block grant. Motion carried. Vote: 6 to 0. A copy is attached.**

**Public session**

Nancy Olsen – There is property inside Town that is like a junkyard with rusted cars and trucks.

**October 4, 2010 meeting continued,**

**Consideration of request for non-profit funding from Macon County Care Net**

Vanessa Bailey said I am requesting \$5,000.00 from the non-profit funding pool for Care Net. She said \$4,500.00 of the money will be used for food and \$500.00 for water bills. She said the funds would be used for the whole county. John Henning, Jr. said this would meet the public purpose requirements. Information copies are attached.

**Motion was made by Curtis, seconded by Pattillo to approve the request of \$5,000.00 to Macon County Care Net from the non-profit funding pool. Motion carried. Vote: 6 to 0.**

**Consideration to make Bidwell Street one-way from 5:30-8:30 P.M. on October 31, 2010**

Vanessa Bailey said I am requesting that Bidwell Street be made one way on October 30, 2010 from 5:30 P.M. to 8:30 P.M. Police Chief Terry Bradley said I agree that this is a busy street at Halloween. He said if the street pattern is changed there could be a problem of enforcement for a short period of time if a driver does not understand the change. Alderman Mashburn said it may be better to give the candy out at one location. After some discussion, the Board agreed to have a policeman posted at this location on October 30, 2010 from 5:30 P.M. to 8:30 P.M.

**Consideration of request for non-profit funding from the Arts Council of Macon County**

Bobbie Contino said the Arts Council of Macon County is requesting \$2,000.00 from the non-profit funding pool. She said these funds would be used for various programs. Information copies are attached.

**Motion was made by Scott, seconded by Handley to approve the request of \$2,000.00 to the Arts Council of Macon County. Motion carried. Vote: 6 to 0.**

**NC Local Government Debt Setoff Program**

John Henning, Jr. said the debt setoff program is sponsored by the North Carolina League of Municipalities. He said you can collect property taxes through the North Carolina Department of Revenue. He said there is a process that the Town has to follow. He said the \$15.00 fee is charged to the debtor. He said this will not stop the Town from using other methods of collection. Mr. Henning said a resolution needs to be passed tonight.

**Motion was made by Scott, seconded by Curtis to adopt the resolution to participate in the North Carolina Local Government Debt Setoff Program. Motion carried. Vote: 6 to 0. A copy is attached.**

**October 4, 2010 meeting continued,**

**Annexation resolution of intent**

John Henning, Jr. said Michael Grubermann has prepared the necessary information for annexation of 88 parcels. Information copies are attached. He said tonight you need to pass a resolution of intent.

**Motion was made by Handley, seconded by Curtis to adopt the Resolution Stating the Intent of the Town of Franklin to Consider Annexation of the Areas Described Herein and Fixing the Date of a Public Informational Meeting and a Public Hearing on the Question of Annexation. Motion carried. Vote: 6 to 0. A copy of the resolution is attached.**

**Minimum housing code**

John Henning, Jr. said I have given you a copy of the minimum housing code adopted by the Town of Waynesville. He said the purpose of the code is to allow you to set minimum standards for the dwellings of its citizens. He said this would help protect their health and safety. Information copies are attached. Alderman Evans said I think that we are overstepping our authority. Alderman Scott said I think it is needed. He said we may be able to use the full time firemen. Alderman Pattillo said we need it for junk cleanup. Mr. Henning said that may not be addressed in this draft. Alderman Handley said I would be interested in a code. Mr. Henning said we may want to have a work session to discuss a proposed ordinance.

**Motion was made by Pattillo, seconded by Handley to authorize John Henning, Jr. to do a proposed minimum housing ordinance for future discussion. Motion carried. Vote: 5 to 1. Voting no: Evans.**

**Recess**

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

Mayor Collins reconvened the meeting at 8:12 P.M.

**Schedule public hearing of Extraterritorial Jurisdiction (ETJ) extension**

**Motion was made by Mashburn, seconded by Evans to set the public hearing on the ETJ extension for Monday, November 1, 2010 at 7:05 P.M. Motion carried. Vote: 6 to 0.**

**October 4, 2010 meeting continued,**

**Discussion regarding proposals for the Whitmire property**

Sam Greenwood said we have a third proposal from Tripp Muldrow of Arnett Muldrow & Associates for the Whitmire property. He said you may want to schedule a time to hear this proposal. Alderman Evans said this is too much money to spend due to the present economy. Alderman Scott said we have heard two presentations. He said he needs to do one also because of fairness. He said we need to keep the Whitmire property and use it for Town purposes. Alderman Pattillo said we need to hear the proposal.

**Motion was made by Handley, seconded by Pattillo for Tripp Muldrow to do a presentation at the November 1, 2010 meeting. Motion carried. Vote: 6 to 0.**

**Presentation regarding draft code of ethics**

Mike Decker gave a brief power point of the draft code of ethics. He said the Town is requested to adopt a code of ethics by January 1, 2011. He said under the legislation, the code must contain the following: (1) the need to obey all applicable laws regarding official actions taken as a board, (2) the need to uphold the integrity and independence of the board member's office, (3) the need to avoid impropriety in the exercise of the board member's official duties, (4) the need to faithfully perform the duties of the office and (5) the need to conduct the affairs of the governing board in an open and public manner, including complying with all applicable laws concerning open meetings and public records. The Board took no action.

**Designation of voting delegate and alternate for the 2010 North Carolina League of Municipalities Annual Business Meeting**

**Motion was made by Curtis, seconded by Pattillo to designate Mayor Joe Collins as the voting delegate and Alderman Joyce Handley as the alternate for the 2010 North Carolina League of Municipalities Annual Business Meeting. Motion carried. Vote: 6 to 0.**

**Other business**

Departmental reports are attached.

Sam Greenwood said that Warren Cabe has set up a meeting with the county attorney, the county manager, the town attorney and town manager to discuss the viper tower at 10:30 A.M. on Thursday, October 7, 2010 at the county offices.

Sam Greenwood said we have received \$4,419,815.00 from the state revolving loan for the expansion of the wastewater treatment plant. He said we may be able to add the digester into the project sooner. He said the money could be part loan and grant.

**October 4, 2010 meeting continued,**

Sam Greenwood said the Town received from the state a letter indicating some changes in classifications to the flood study. He said the new police department would now be out of the flood area. He said the North Carolina Department of Transportation will need to replace some culverts that are too small in this area.

Sam Greenwood said the Franklin Fire Department will be preparing for an ISO inspection for October 2011. He said depending on the rating received we could lower the insurance rating inside the fire district.

Alderman Scott said there is speeding on Main Street. He said we need to ask the North Carolina Department of Transportation to put down traffic calming crosswalks on Main Street.

**Closed session**

**At 8:40 P.M., the Board went into closed session on motion made by Curtis, seconded by Handley for the following reasons – G.S. 143-318.11(a)(6) – To consult with attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged and G.S. 143-318.11(a)(6) – To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an public officer or employee or prospective public officer or employee. Motion carried. Vote: 6 to 0.**

**The Board came out of closed session at 9:20 P.M., on motion made by Scott, seconded by Mashburn. Motion carried. Vote: 6 to 0.**

**Open Session**

The Board took no further action and no other matters came before the Board.

**Adjournment**

**Motion was made by Curtis, seconded by Evans to adjourn the meeting at 9:25 P.M. Motion carried. Vote: 6 to 0.**

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Joe Collins, Mayor

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Janet A. Anderson, Town Clerk

