

Town of Franklin Board of Aldermen

Agenda

October 7, 2013

7:00 p.m.

1. Call to order- Mayor Collins.
2. Approval of the September 3, 2013 Town Board minutes.
3. Public hearing 7:05 p.m. on Pauline Avenue I Re-Zoning Request.
4. Public hearing 7:10 p.m. on Pauline Avenue II Re-Zoning Request.
5. Public session.

6. New business
 - A.) Proclamation for Pancreatic Cancer Awareness Month
 - B.) Street Closing Request for Second Night of Winter Wonderland- Main Street Executive Linda Schlott
 - C.) Board action on Pauline Avenue I Re-Zoning Request
 - D.) Board action on Pauline Avenue II Re-Zoning Request
 - E.) 911 Road Names- Land-Use Administrator Derek Roland
 - F.) Equitable Sharing of Federally Forfeited Property Fund Request- Police Chief David Adams
 - G.) Governors Highway Safety Grant Program-Police Chief David Adams
 - H.) Update on Street Ranking System- Town Manager Warren Cabe
 - I.) Non-Profit Funding Revision- Town Manager Warren Cabe
 - J.) Inter-local agreement for the Hazardous Material Trailer- Town Manager Warren Cabe
 - K.) Water Tap Fee Waiver Request- Sheriff Robbie Holland
 - L.) Designation of Voting Delegate for 2013 North Carolina League of Municipalities Conference
 - M.) Tax Release- Town Manager Warren Cabe

7. Legal
 - A.) Schedule Public Hearing on Proposed Amendments to Chapter 154 of the Town of Franklin Wireless Communications Ordinance- Town Attorney John Henning, Jr.
 - B.) Revisions to Chapter 110 of the Town of Franklin Privilege Licenses- Town Attorney John Henning, Jr.

8. Adjourn

October 7, 2013

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, October 7, 2013 at 7:00 P.M. in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Joyce Handley, Farrell Jamison, Billy Mashburn, Carolyn Pattillo and Bob Scott were present.

Approval of the Minutes

Motion was made by Mashburn, seconded by Jamison to approve the minutes for the September 3, 2013 meeting as presented. Motion carried. Vote: 6 to 0.

Public Session

Bruce Koehler – There is a blind hill on Pauline Avenue. We need signs for the school bus stop.

Shaina Adkins – We at Macon County Care Network are doing a Hunger Challenge with Franklin First Methodist Church. We will be living on \$3.00 a day on October 11 – 13, 2013. We challenge each of you to participate. Informational copies are attached.

Public Hearing – Pauline Avenue I Rezoning Request

Mayor Collins opened the public hearing on the Pauline Avenue I rezoning request at 7:07 P.M.

Derek Roland – Land Use Administrator – The request is to rezone thirty-two Residential (R-2) properties along Pauline Avenue to Residential (R-1). The August 5, 2013 public hearing was not held due to failure to meet the notification requirement to the property owners. The notification notices have been done at this time. Informational copies are attached.

Bruce Koehler – There is a very small group wanting the rezoning. They fear mobile homes. There has been no discussion. The posting done by the Town on the properties was not adequate. Informational copies are attached.

Richard Brady – I hope you vote in support of the rezoning request.

Audrey Cook – 346 Pauline Avenue – I am in favor of the rezoning to R-1.

John Lathrop – Everybody is in favor of the rezoning. We want to protect the area. We do not want trailers.

Vinnie Rankin – I am worried about the value of my property. I have traffic concerns.

Mrs. Marvin Sebring – The road is too narrow. The neighborhood is beautiful. I care about the property value.

October 7, 2013 meeting continued,

Arthur Allman – 68 Pauline Avenue – We want to keep the value of our properties. We do not want trailers.

Mayor Collins closed the public hearing at 7:28 P.M.

Public Hearing – Pauline Avenue II Rezoning Request

Mayor Collins opened the public hearing on the Pauline Avenue II rezoning request at 7:29 P.M.

Bruce Koelher – Sixty percent of the property owners don't want the rezoning.

Richard Brady – I am in favor of the rezoning.

Lois Lathrop – It has been quiet in the past in our neighborhood. There are good people on the street.

Felicia Neidefer – 25 Pauline Avenue – There would be a traffic problem. It is a nice neighborhood.

Arthur Altman – It is a beautiful area.

Mayor Collins closed the public hearing at 7:36 P.M.

Derek Roland – Land Use Administrator – The posting of the signs was sufficient according to state law. All the property owners were mailed notices about the rezoning. Protest petitions have been filed by the property owners. The petitions are valid. The Planning Board recommended approval of the rezoning of Pauline Avenue I on June 17, 2013 and the rezoning of Pauline Avenue II on August 19, 2013.

New Business – Board Action on Pauline Avenue I Rezoning Request

Motion was made by Handley, seconded Curtis to approve the Pauline Avenue I rezoning request from Residential (R-2) to Residential (R-1) as requested and to adopt the Consistency Statement. Motion carried. Vote 5 to 1. Voting yes: Curtis, Handley, Jamison, Mashburn and Pattillo. Voting no: Scott. Copies are attached.

New Business – Board Action on Pauline Avenue II Rezoning Request

Motion was made by Handley, seconded by Curtis to approve the Pauline Avenue II rezoning request from Residential (R-2) to Residential (R-1) as requested and to adopt the Consistency Statement. Motion carried. Vote: 6 to 0.

October 7, 2013 meeting continued,

Public Session

Peggy Huscusson – The property by the Nikwasi Mound has been owned by my family for half a century. The property leased out behind our property has a wood pile on it. There are safety and pollution issues. It is a fire hazard. There are oil and gas spills from the power saws. It is a noise nuisance. My tenants have complained about the noise. This needs to be investigated. Pictures are attached.

Dan Williams – I am asking that Maple Street and Dogwood Street be cleaned up.

Dr. Tracey Dogan - I have an acupuncture clinic near the woodpile. The wood pile is getting out of hand. The noise is getting louder and more frequent. It is unfair that one person can upset so many businesses.

Claudia Mathis – I was a tenant of Ms. Huscusson but moved out due to the noise. I have a telephone business selling jewelry. We are on the phone for five to six hours per day. Due to the noise from the power saws we could not conduct transactions. The walls were vibrating. There were gas fumes. Trucks were unloading logs. I have been involved in rescue work during major disasters. If there was a micro-burst in the area the pieces of wood would be like bullets. The Town would be liable.

New Business – Water Tap Fee Waiver Request

Robert Holland – Macon County Sheriff – I am asking the Town to waive a water tap fee of \$3,100.00 at the shooting range on Lake Emory Road. The Franklin Police Department will be able to use the shooting range to fulfill their qualification requirements. Informational copies are attached.

Alderman Mashburn – This waterline was installed by Macon County due to the wells failing in the area. The county got a grant to run water from the town's system to the homes. The Town has an agreement with Macon County allowing hook ups for \$1,200.00. We would be waiving only \$1,200.00.

Motion was made by Mashburn, seconded by Jamison to waive the tap fee in the amount of \$1,200.00 to Macon County for the shooting range. Motion carried. Vote: 6 to 0.

New Business – Proclamation for Pancreatic Cancer Awareness Month

Motion was made by Handley, seconded by Pattillo to designate the month of November 2013 as Pancreatic Cancer Awareness Month and November 15, 2013 as Pancreatic Cancer Awareness Day in Franklin, North Carolina. Motion carried. Vote: 6 to 0. A copy of the proclamation is attached.

October 7, 2013 meeting continued,

New Business – Street Closing Request

Linda Schlott – Main Street Coordinator – We have added a second Friday night to Winter Wonderland. I am asking Iotla Street be closed from 4:00 P.M. to 9:00 P.M. on December 13, 2013.

Motion was made by Mashburn, seconded by Handley to close Iotla Street from 4:00 P.M. to 9:00 P.M. on Friday, December 13, 2013 for Winter Wonderland. Motion carried. Vote: 6 to 0.

New Business – 911 Road Names

Warren Cabe – Town Manager – We need to approve the following street names for 911 addressing: Treeline Trail, Harper Lane and Bonny Crest Drive.

Motion was made by Jamison, seconded by Curtis to approve the following street names for 911 addressing: Treeline Trail, Harper Lane and Bonny Crest Drive. Motion carried. Vote: 6 to 0.

New Business – State Unauthorized Substances Tax Collections Fund

Warren Cabe – Town Manager – Police Chief David Adams wants to purchase some supplies out of the State Unauthorized Substances Tax Collections Fund in the amount of approximately \$6,200.00. Informational copies are attached.

Motion was made by Curtis, seconded by Jamison to approve the expenditures out the State Unauthorized Substances Tax Collections Fund and to amend the budget. Motion carried. Vote: 6 to 0.

New Business – Governors Highway Safety Grant Program

Warren Cabe – Town Manager – The Police Department is applying for a Governors Highway Safety Grant in the amount of \$14,200.00. This is a 100% reimbursement grant. No money will be spent until the grant is approved by the state. The Board needs to pass a resolution approving the application for the Governors Highway Safety Grant.

Motion was made by Scott, seconded by Pattillo to adopt a resolution approving the application for the Governors Highway Safety Grant and to amend the budget in the amount of \$14,200.00. Motion carried. Vote: 6 to 0. A copy of the resolution is attached.

October 7, 2013 meeting continued,

New Business – Street Ranking System

Warren Cabe – Town Manager – We have been ranking the streets. We are planning to repave the following streets: West Main Street, Dearmin Terrace and Perry Street. West Main Street will be mill before it is repaved. Informational copies are attached.

New Business – Nonprofit Funding Revision

Warren Cabe – Town Manager – We need to reconsider the Read2Me nonprofit contribution. They are not a nonprofit organization. We will have to give the money to the Rotary Club of Franklin Charitable Foundation.

Motion was made by Pattillo, seconded by Handley to reconsider the nonprofit allocation given to Read2Me. Motion carried. Vote: 6 to 0.

Motion was made by Handley, seconded by Jamison to amend the motion for allocation of nonprofit funds passed at our September 3, 2013 continuation meeting, to clarify that funds for the Read2Me project are to be paid to the Rotary Club of Franklin Charitable Foundation, Inc., pursuant to a contract with that entity. Motion carried. Vote: 6 to 0.

New Business – Interlocal Agreement for the Hazardous Material Trailer

Warren Cabe – Town Manager – The Franklin Fire Department wants to enhance its response capabilities to hazard materials emergencies. Macon County owns a towable trailer utilized as a response vehicle for hazardous materials emergencies acquired through Homeland Security funding. The fire department would keep the trailer at their station and respond to any hazardous materials incidents. The County would maintain ownership of the trailer and maintain property insurance. The fire department would stock consumable supplies as needed.

Motion was made by Jamison, seconded by Mashburn to approve the Interlocal Agreement between the Town of Franklin and Macon County concerning the use and equipping the hazardous materials trailer. Motion carried. Vote: 6 to 0. A copy of the interlocal agreement is attached.

New Business - Designation of Voting Delegate for 2013 North Carolina League of Municipalities Conference

Motion was made by Scott, seconded by Jamison to designate Alderman Joyce Handley as the voting delegate at the 2013 North Carolina League of Municipalities Conference. Motion carried. Vote: 6 to 0.

October 7, 2013 meeting continued,

New Business - Tax Release

Warren Cabe – Town Manager – No action needs to be taken by the Board.

Legal - Public Hearing – Proposed Amendments to Chapter 154 of the Town of Franklin Wireless Communications Ordinance

Motion was made by Handley, seconded by Curtis to set the public hearing on the proposed amendments to Chapter 154 of the Town of Franklin Wireless Communications Ordinance at 7:05 P.M., Monday, November 4, 2013. Motion carried. Vote: 6 to 0.

Legal – Revisions to Chapter 110 of the Town of Franklin Privilege Licenses

Motion was made by Handley, seconded by Curtis to adopt certain amendments to Chapter 110 of the Code of Ordinances for the Town of Franklin that privilege licensees observe and comply with the rules and regulations of the Town’s Unified Development Ordinance. Motion carried. Vote: 6 to 0. A copy of the ordinance is attached.

Other Business

Departmental reports are attached.

Adjournment

Motion was made by Handley, seconded by Curtis to adjourn the meeting at 9:10 P.M. Motion carried. Vote: 6 to 0.

Joe Collins, Mayor

Janet A. Anderson, Town Clerk