

Meeting Date: May 4, 2009

Town of Franklin Board of Aldermen

Agenda

May 4, 2009

7 p.m.

1. Call to order – Mayor Collins
2. Approval of the April 6, 2009 minutes
3. A. Public hearing on the Melba M. Huggins petition for rezoning
B. Consideration of Huggins rezoning petition
4. Public session
5. Proclamation for “Paint The Town Purple” for Relay For Life – Nichole Bradley and Patti Morgan
6. Presentation of plaque to Bonnie Pickartz for contributions to the Franklin Main Street Program
7. Consideration of resolution adopting the three-year update to the Solid Waste Management Plan for Macon County, the Town of Franklin and Town of Highlands – Chris Stahl
8. Discussion regarding Pickin’ on the Square vendors – Streets of Franklin representatives
9. Consideration of resolution approving financing terms with BB&T – Town Attorney
10. Consideration of awarding bid for new public safety (police) facility – Town Manager
11. Consideration of resolution regarding annexation statutes and procedures
12. Consideration of modification to the town’s Sewer Use Ordinance (SUO)
13. Consideration of budget amendments – Janet Anderson
14. Schedule public hearing on petition for rezoning by R.T.J. of Franklin, LLC for Monday, June 1, 2009 at 7 p.m.
15. Continue the May regular meeting to Monday, May 18, 2009 at 5:15 p.m.

NOTE: The recommended Fiscal Year 2009-2010 budget will be presented on Monday, May 18, 2009

May 4, 2009

The regular meeting of the Town of Franklin Board of Aldermen was held on Monday, May 4, 2009 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 Scott, seconded by Evans to approve the minutes for the April 6, 2009 meeting as presented. Motion carried. Vote: 6 to 0.

Public Hearing on the Melba M. Huggins Petition for rezoning

Mayor Collins opened the public hearing on the Melba M. Huggins petition for rezoning at 7:01 P.M. The following persons spoke at the public hearing.

Michael Grubermann - Ms. Huggins has requested that her property off the Highlands Road be rezoned from R-1 (residential) to C-2 (commercial). Access to the property is through the shopping center. We received a written protest from five eligible homeowners. Approval of the rezoning will require a 4/5 majority vote of the Board. Mr. Grubermann said the Planning Board recommended rezoning the property. Information copies are attached.

Vivian Honey – My property is beside this property. This is a quiet residential area. This rezoning will lower my property value.

Larry Davis – I represent Ms. Huggins as the realty agent. I think it should be zoned commercial. It is beside existing commercial property.

Mayor Collins closed the public hearing at 7:07 P.M.

Consideration of Melba M. Huggins rezoning petition

Motion was made by Pattillo, seconded by Handley to rezone Melba M. Huggins property off the Highlands Road from R-1 (residential) to C-2 (commercial). Motion carried. Vote: 6 to 0. A copy of the petition is attached.

Public session

Dan Williams - There are junk yards inside Town. They are eyesores. Why was Kathleen Costa's dog grooming business priority one? Why was that so important? There were no signs out front. Alderman Curtis said the Board did not shut her down. Alderman Scott said we tried to work it out with her. Mayor Collins said we are not going to address this matter again.

May 4, 2009 meeting continued,

Proclamation for “Paint the Town Purple” for Relay For Life

Motion was made by Scott, seconded by Evans to proclaim the month of May as “Paint the Town Purple Month” in Franklin. Motion carried. Vote: 6 to 0. A copy of the proclamation is attached.

Presentation of plaque to Bonnie Pickartz for contributions to the Franklin Main Street Program

Linda Schlott said Main Street wants to present Bonnie Pickartz with a plaque for her contributions to the program.

Consideration of resolution adopting the three-year update to the Solid Waste Management Plan

Chris Stahl said you need to wait to adopt the resolution until after Macon County adopts the Solid Waste Management Plan. He said we do a revised plan every three years. He said you may want to consider putting recycling containers on Main Street. Alderman Evans said years ago we were to get a green collection trailer from Macon County for recycling. Mr. Stahl said this trailer was put elsewhere. The Board agreed to put the adoption of the resolution on the May 18, 2009 meeting.

Discussion regarding Pickin’ on the Square vendors

June Hernandez said I am here representing the Streets of Franklin. She said the new businesses want to stay open on Saturday night during the Pickin’ on the Square. She said there are six restaurants on Main Street. She said we are asking you to move the vendors off of Main Street. She said they are blocking the view of the businesses. Ms. Hernandez said they are paying taxes. Alderman Pattillo said I don’t see how you can stop the vendors. She said they pay a license. She said competition is the name of the game. She said we have to be fair to everyone. She said I support Main Street. Alderman Evans said some of these vendors already have a restaurant inside Town. Alderman Handley said we need to take care of our businesses first. She said we may need to move the vendors. Ms. Hernandez said they need to be able to see that we are open. Alderman Evans said in the past the businesses have not stayed open. Ms. Hernandez said there are some new businesses and they have agreed to stay open this year. A lady with A&P Concessions said persons do not want to cross the street. Stan Brendle said we have been a part of the Pickin’ on the Square from the start. He said the businesses did not stay open at night in the past. Ben Utley with North Carolina Mountain Made said we need to be visible to the tourists. Alderman Scott said we need to look at the parking first. Alderman Evans said the businesses have not stayed open in the past. Mayor Collins said we cannot reach a decision tonight. He said we will discuss this matter further at the continued meeting on May 18, 2009. Mayor Collins said a committee will meet with the merchants and vendors on this matter before May 18, 2009.

May 4, 2009 meeting continued,

Recess

Mayor Collins recessed the meeting at 8:13 P.M.

Mayor Collins reconvened the meeting at 8:23 P.M.

Consideration of resolution approving financing terms with BB&T

John Henning, Jr. explained the resolution approving the financing terms with BB&T for the Town's Series 2009 Installment Financing. **Motion was made by Curtis, seconded by Evans to adopt the resolution approving the financing terms with BB&T for the Series 2009 Installment Financing. Motion carried. Vote: 6 to 0. A copy of the resolution is attached.**

Consideration of awarding bid for new public safety facility

Tom Ritter said we opened four bids for the new public safety facility on April 16, 2009. He said the bids ranged from \$771,956 to \$917,584.64. He said you have three bids close in amount. He said you can accept any of these three bids. A copy of the bids is attached. **Motion was made by Curtis, seconded by Pattillo to award the bid to Dalton Construction in the amount of \$777,877.00 for the new public safety facility. Motion carried. Vote: 6 to 0.**

Consideration of resolution regarding annexation statutes and procedures

Motion was made by Scott, seconded by Mashburn to adopt the resolution regarding annexation statutes and procedures. Motion carried. Vote: 6 to 0. A copy of the resolution is attached.

Consideration of modification to the town's Sewer Use Ordinance (SUO)

Motion was made by Mashburn, seconded by Evans to modify the town's Sewer Use Ordinance on page 8 to "less than 6.5 or greater than 9.5." Motion carried. Vote: 6 to 0. Information copies are attached.

Consideration of budget amendments

Janet Anderson presented the following budget amendments. Copies of the budget amendments are attached. **Motion was made by Handley, seconded by Scott to approve the budget amendments. Motion carried. Vote: 6 to 0.**

May 4, 2009 meeting continued,

Schedule public hearing on petition for rezoning by R.T.J. of Franklin, LLC

Motion was made by Mashburn, seconded by Evans to schedule the public hearing on the rezoning petition by R.T.J. of Franklin, LLC for Monday, June 1, 2009 at 7:00 P.M. Motion carried. Vote: 6 to 0.

Other business

Alderman Pattillo said we can get free signs from the Macon County Health Department to indicate that the buildings are smoke free. **Motion was made by Handley, seconded by Scott to get the free signs from the Macon County Health Department. Motion carried. Vote: 6 to 0.**

Continuation of meeting

At 8:57 P.M., motion was made by Pattillo, seconded by Curtis to continue the meeting until Monday, May 18, 2009 at 5:15 P.M. Motion carried. Vote: 6 to 0.

Call to order

The regular May 4, 2009 meeting of the Town of Franklin Board of Aldermen was continued at 5:15 P.M., Monday, May 18, 2009 in the Town Hall Board Room. Mayor Joe Collins presided. Aldermen Verlin Curtis, Joyce Handley, Billy Mashburn, Carolyn Pattillo and Bob Scott were present. Alderman Jerry Evans was absent.

Consideration of awarding bid for new public works facility

Tom Ritter said the bids on the new public works facility were opened on April 27, 2009. He said five bids were received. He said all of the bids were over budget. Mr. Ritter said by taking off the storage building and the concrete bunkers he had adjusted final bids from Warth of \$1,055,229.18 and Cotton of \$973,173.00. Alderman Pattillo said if we take out the storage building, where will the Christmas decorations and the Main Street stuff be stored. Mayor Collins said we can continue to store them where they are now. Alderman Scott could this project be put back out for bid again? Mr. Ritter said I feel we can get below \$950,000.00 by working with the contractor. Alderman Handley said I don't know Cotton. Alderman Scott said I didn't get this information until tonight. He said I don't know if I can make a decision tonight. John Henning, Jr. said we need to have a bid since the Local Government Commission meeting is on June 2, 2009. Alderman Pattillo said how does Jay Gibson feel? Mr. Ritter said this building will meet the needs of the public works department. **Motion was made by Curtis, seconded by Scott to award the bid to Cotton in the amount of \$973,173.00 for the new public works building. Motion carried. Vote: 5 to 0.**

May 4, 2009 meeting continued,

Consideration of awarding bid for grading plan for wastewater treatment plant expansion/public works facility

J. Meliski with McGill Associates said the twelve bids were opened on May 7, 2009 for the grading at the wastewater treatment plant. He said the low bid was from Penland Contracting in the amount of \$401,453.00. **Motion was made by Pattillo, seconded by Mashburn to award the bid to Penland Contracting in the amount of \$401,453.00 for the grading at the wastewater treatment plant. Motion carried. Vote: 5 to 0.**

Report from committee regarding Pickin' on the Square vendors

Mayor Collins said Stan Brendle would be moved. He said parking on the north end would be left. He said there would be parking in front of the clock tower for handicap and town vehicles. Alderman Scott said the agreement called for no parking on the north and south sides. Alderman Handley said we need handicap parking. Ben Utley asked would the handicap parking be permanent or just for Pickin'? Mayor Collins said it will not be permanent. He said there will be signs. Alderman Scott said make the handicap from the square to Macon Bank. He said we need an area for handicap parking. Mayor Collins said make the area from Primrose Lane to the intersection handicap parking. The Board agreed to this suggestion. Alderman Scott said we took up the old dance floor and the Shriners would like the ramps. **Motion was made by Scott, seconded by Curtis to declare the wooden ramps as surplus. Motion carried. Vote: 5 to 0.** Mayor Collins said do we want to charge the food vendors at the Pickin' on the Square. **After some discussion, a motion was made by Handley, seconded by Pattillo to charge food vendors \$150.00 for the season, \$50.00 for one time plus \$25.00 vendor fee if they didn't already have a business license. Motion carried. Vote: 4 to 1. Voting yes: Curtis, Handley, Mashburn and Pattillo. Voting no: Scott.**

Consideration of resolution adopting the three-year update to the Solid Waste Management Plan

Motion was made by Curtis, seconded by Handley to adopt the resolution adopting the three-year update to the Solid Waste Management Plan. Motion carried. Vote: 5 to 0. A copy of the resolution is attached.

Consideration of Capital Project Ordinance for Crawford Branch Sewer System Improvements Project

Motion was made by Curtis, seconded by Handley to adopt an Ordinance Adopting a Capital Project Fund for the replacement of sewer lines along Crawford Branch. Motion carried. Vote: 6 to 0. A copy is attached.

May 4, 2009 meeting continued,

Motion was made by Curtis, seconded by Handley to adopt the Resolution Designating the Town Clerk and Finance Officer of the Town of Franklin to Declare the Official Intent on the Behalf of the Town of Franklin to Reimburse Expenditures Under United States Department of Treasury Regulations. Motion carried. Vote: 6 to 0. A copy is attached.

Presentation of the recommended Fiscal Year 2009-2010 budget

Sam Greenwood said there is no tax increase or any fee increase. He said there is included an increased operating cost and the cost of two departments moving. He said we are adding one person to public works. Mr. Greenwood said there are funds for an engineer. A copy of the purposed budget is attached. Alderman Scott said the percent increases in salary is unfair to your lower paid employees. He said I would like the Board to take the total increase and divide it equally among the employees. Mayor Collins said I think we need two work sessions before the public hearing. The Board decided to meet on Tuesday, May 26, 2009 and Thursday, May 28, 2009 at 5:15 P.M.

Schedule public hearing on the proposed Fiscal Year 2009-2010 budget

Motion was made by Mashburn, seconded by Handley to schedule the public hearing on the proposed Fiscal Year 2009-2010 budget for Monday, June 1, 2009 at 7:15 P.M. Motion carried. Vote: 5 to 0.

Reports

Alderman Scott said I would like all the continued meetings to be at 7:00 P.M.

Alderman Scott said the reason I voted against the charges to the food vendors was because we had not defined food vendors.

Alderman Scott said I would like all job openings with the Town posted on a board at the Town Hall.

Alderman Handley said the Memorial Park Building will be ready in two weeks. She said I would like the Town to buy some new grills.

Mayor Collins said I would like the Board to decide what to do with the Whitmire property.

Department reports are attached.

Continuation of meeting

At 6:30 P.M., motion was made by Pattillo, seconded by Curtis to continue the meeting until Tuesday, May 26, 2009 at 5:15 P.M. Motion carried. Vote: 5 to 0.
May 4, 2009 meeting continued,

Call to order

The regular May 4, 2009 meeting of the Town of Franklin Board of Aldermen was continued at 5:15 P.M., Tuesday, May 26, 2009 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.

Budget discussion

Alderman Scott said what is the status on the pay plan? Sam Greenwood said we will start with a longevity plan at the June meeting. He said the base will start at fifteen years. He said we will have to decide on the percentages. He said it is used for employee retention. Alderman Pattillo said I think it shows appreciation to the employees. Alderman Evans said we have no problem keeping employees. Alderman Pattillo said it is an incentive. Alderman Evans said we have more chiefs than Indians now. Alderman Handley said some employees may be coasting along. Alderman Scott said I would like the baseline to be dropped to ten years. Sam Greenwood explained the departmental expenses in the budget. Alderman Scott said I thought the festivals were to become self supporting. He said does this expenditure meet the public purpose test? Mike Decker said the four festivals supported are as follows: Taste of Scotland, Macon County Folk Festival, the Pumpkin Fest and Window Wonderland. Mayor Collins left the meeting at 6:08 P.M. Alderman Curtis said what is the capital outlay in the fire department budget? Mr. Greenwood said it is several replacement items over \$5,000.00 and the remaining money will be used to match a possible grant. Alderman Curtis left the meeting at 6:25 P.M. Alderman Scott said the percent increase in salaries is unfair to the lower paid employees. He said the same amount should be given to each employee. Mr. Greenwood said the salary is matched to the employee's training and duties. **Motion was made by Scott, seconded by Evans to give the two and half percent salary raise to each employee and to give the same amount to each employee in December instead of a two percent bonus. Motion failed. Vote: 1 to 4. Voting yes: Scott. Voting no: Evans, Handley, Mashburn and Pattillo.**

Other business.

After some discussion, Alderman Scott agreed to chair a committee to find a suitable location on the town hall property at 95 East Main Street for the time capsule buried in 1955.

Adjournment

Vice-Mayor Mashburn adjourned the meeting at 6:50 P.M.

May 4, 2009 meeting continued,

Joe Collins, Mayor

Janet A. Anderson, Town Clerk