



Town of Franklin Council

Agenda

December 4, 2017

7:00 p.m.

1. Call to Order- Mayor Bob Scott
2. Pledge of Allegiance- Vice Mayor Patti Abel
3. Approval of the November 6 and November 28, 2017 Town Board minutes
4. Recognition of Service for Vice Mayor Patti Abel- Mayor Bob Scott
5. Oath of Office for Mayor and Town Council Members- Macon County Clerk of Court Vic Perry
6. Adoption of the December 4, 2017 Town Board Agenda
7. Appointment of Mayor Pro Tempore
8. Public Session
9. New Business
 - A.) Message from Mayor Bob Scott
 - B.) Street Lights Along Sloan Road- Town Engineer Nathanael Moore and Land Use Administrator Justin Setser
 - C.) NCDOT Transportation Improvement Project Agreement- Town Manager Summer Woodard
 - D.) Franklin Fire and Rescue Strategic Plan- Town Manager Summer Woodard
 - E.) Approval of the 2018 Town Council Regular Meeting Schedule- Town Manager Summer Woodard
 - F.) Approval of the 2018 Town of Franklin Holiday Schedule- Town Manager Summer Woodard
10. Legal
 - A.) Discussion on Town of Franklin Noise Ordinance- Town Attorney John Henning Jr.
11. Announcements
 - A.) Town Employee Luncheon will be December 15, 2017 at 12:00 p.m. at Tallulah Country Buffet
 - B.) Town Offices will be closed December 25, 26 and 27 in observance of the Christmas Holiday
 - C.) Town Hall Offices will be closed Monday January 1, 2018 in observance of New Year's Day
 - D.) The next regularly scheduled Board Meeting will be Tuesday January 2, 2018
12. Adjourn

December 4, 2017 meeting,

The regular meeting of the Franklin Town Council was held on Monday December 4, 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.

Approval of the November 6 and November 28, 2017 Town Council minutes

Motion was made by Abel seconded by McMahan to approve the November 6 and November 28, 2017 meeting minutes. Motion carried. Vote: 5 to 0.

Mayor Scott recognized Vice Mayor Patti Abel for her years of service on the Franklin Town Council.

Oath of Office for Mayor and Town Council

Macon County Clerk of Court Vic Perry administered the Oath of Office for Council Members David Culpepper and Barbara McRae. Copies of the oaths of office are attached.

Macon County Clerk of Court administered the Oath of Office for Mayor Robert S. Scott. A copy of the oath is attached.

Appointment of Mayor Pro Tempore

Motion was made by Collins, seconded by Kimsey to appoint Council Member Barbara McRae to serve as the Mayor Pro Tempore. Motion carried. Vote: 5 to 0.

Adoption of the December 4, 2017 Town Council Agenda

Mayor Scott – I have a resolution regarding the deferred maintenance needs for the park system and primarily we've been urged to adopt a resolution concerning the maintenance needs and how important the parks are to this area.

Motion was made by McMahan, seconded by Kimsey to add the deferred maintenance resolution to the agenda as item 9(G) and to approve the agenda as amended. Motion carried. Vote: 5 to 0.

Public Session

W. H. Derrick – I don't know if you people can do anything about it or not, but my wife and I went into an apparel shop on Main Street last week. My wife got about \$250 worth of clothes. She goes to pay and they won't take a check. I know that you can be refused but if you're going to do that put a sign by the cash register or on the door. I don't know if there is anything you all can do about that or not.

Mayor Scott – Well one thing that I can do since I'm the liaison to the Streets of Franklin and I can bring that up to them and ask their members to do that.

December 4, 2017 meeting continued,

W. H. Derrick – The other thing I want to talk about is the noise. You all have been talking about a noise ordinance for a while. I haven't seen any results. You can go to Sylva any time of the day or night and you don't hear anything. You can do the same thing in Clayton. Why can't you people do something about it?

Mayor Scott – Actually, we do have that on the agenda tonight.

W. H. Derrick – Okay, well that is what I'm speaking to. You all have been on this for a long time and nothing has happened yet.

Mayor Scott – We will be discussing it under Legal.

Jimbo Ledford – We're here tonight to represent Jepaca. I have answered some of the questions that you all discussed. I got an insurance quote from Jim Garner. I talked to some people about the cleanup. They said we were in the ballpark without going to the property. The no trespassing signs are back up. We took up a petition and the people who signed it said that it fits their vision of Franklin. There were more people who signed it than who voted in the last election.

Angela Moore – I have a couple of things I would like to address. First, I know the board faces the daunting task of filling the vacancy on the board. For those who I haven't been able to reach I would just like to let you know that I am very interested in this seat and I think you will find there is a lot of support for me from those who do agree with my politics and those who do not as the next closest vote getter. I do know that the state allows you to appoint anyone who is qualified for the position but I also know that the laws are apparent in that they prefer for these positions to be elected as oppose to appointed and I hope that you all will keep me in mind for the seat.

Angela Moore – There are a few things on the agenda tonight that I would like to bring up, particularly the lighting issues that I think are on the agenda. I don't think there will be a public hearing on this. I haven't heard the presentation. I do have some concerns though because if you look at the press packet of the area that is to be lit, only one side of the road is in the town limits, the other side is primarily the graveyard. I would ask the board to be careful and look at what benefit the town population is going to gain from lighting this area. I didn't know if possibly, this may be a way for us to reduce our police force in this area if it is a high crime area. I'm not sure exactly what the motivation is to do this. Secondly, I was a little bit concerned about some of the language in the noise ordinance. Particularly the provisions.

New Business: Message from Mayor Bob Scott

Mayor Scott made an opening statement to the new Franklin Town Council. A copy of the speech is attached.

December 4, 2017 meeting continued,

New Business: Street Lights Along Sloan Road

Town Engineer Nathanael Moore presented this item.

Summer Woodard – Town Manager – This is a project we've been looking at off and on for a couple of years because those parcels are annexed into the Town and are in our jurisdiction. The businesses there have been vocal about getting those areas lit for their customers and also it is a public safety issue.

Council Member Culpepper – Are we considering placement of the poles and being far enough off the road for future sidewalk improvements? So that we don't have to move them again?

Nathanael Moore – Town Engineer – Duke does the lighting study and we will use their existing structures.

Vice Mayor McRae – I see a lot of pedestrians through that area and I think it really is important for safety.

Council Member Collins – This isn't exactly a difficult project.

Nathanael Moore – Town Engineer – No, we started by looking at that area on Sloan Road and connected it from Palmer to Sloan Road so it made a lit corridor. We can do one part or the other or we can go ahead and do both.

Vice Mayor McRae – I think we should do both.

Motion was made by McRae, seconded by McMahan to approve the addition of street lights on Sloan Road and West Old Murphy Road. Motion carried. Vote: 5 to 0.

New Business: NCDOT Transportation Improvement Project Agreement

Town Manager Summer Woodard presented this item.

Motion was made by McMahan, seconded by Kimsey to approve NCDOT Transportation Improvement Project Agreement. Motion carried. Vote: 5 to 0. Copy of Agreement is attached.

New Business: Franklin Fire and Rescue Strategic Plan

Town Manager Summer Woodard presented this plan.

Motion made by Kimsey, seconded by McRae to accept the Franklin Fire and Rescue Strategic Plan. Motion carried. Vote: 5 to 0.

December 4, 2017 meeting continued,

New Business: Approval of the 2018 Town Council Regular Meeting Schedule

Council Member McMahan – All of the other boards in town seem to meet earlier than 7:00 p.m. Would anybody have a problem with moving the starting time to 6:00 p.m.?

Council Member McRae – I would like that. I think 7:00 p.m. is a strange time.

Motion was made by McMahan, seconded by Kimsey to change the starting time to 6:00 p.m. and to approve the 2018 Town Council Regular Meeting Schedule. Motion carried. Vote: 5 to 0.

New Business: Approval of the 2018 Town of Franklin Holiday Schedule

Motion was made by McMahan, seconded by Kimsey to approve the 2018 Town of Franklin Holiday Schedule. Motion carried. Vote: 5 to 0.

New Business: Adoption of the Resolution Encouraging Congress to Create a Reliable, Predictable Stream of Resources to Address Deferred Maintenance Needs in America's National Park System

Mayor Bob Scott presented this item.

Motion made by McMahan, seconded by Kimsey to adopt the resolution to encourage Congress to create a reliable, predictable stream of resources to address deferred maintenance needs in America's National Park System. Motion carried. Vote: 5 to 0. Resolution is attached.

Legal: Discussion on the Town of Franklin Noise Ordinance

Town Attorney John Henning Jr. presented this item.

Mayor Scott – This gives our police something to go by.

Council Member Culpepper – And this is officer judgement?

John Henning Jr. – Town Attorney – Yes. The courts have said a reasonable person.

Council Member Collins – I strongly believe that we need to go in the direction of a misdemeanor instead of civil and let the court system handle this instead of leaving it to us to fine them and collect it. What happens if they don't collect it? If you end up in court over a fine you have to prove they have the ability to pay it. This is whole lot closer than we have ever been to an ordinance that we could use. I would like to see it posted on our website so that the public would have an opportunity to see it as well.

Mayor Scott – I don't think this ordinance is shutting anybody down. I think it is just giving us something to work with to get people to comply and turn it down if things are getting out of hand.

Council Member Collins – I think this is the closest we've been but this isn't even a clean copy. I don't think we can vote on this tonight.

December 4, 2017 meeting continued,

Council Member Culpepper – I understand we may not vote on this tonight but can you walk me through the permit process? Say if the Lazy Hiker wants to have a concert.

John Henning Jr. – Town Attorney – A permit isn't going to come back here every time. I don't think that is practical. We have similar process for parades or gatherings and they go through the Police Chief. I don't know if there would be any problem getting permits to cover a series of concerts.

Council Member McMahan – I think we should all challenge ourselves to really look at this. I think we need to give our police something to use. I'm in favor of giving our officers the discretion to decide. I think we should take it upon ourselves to be able to vote on something by the January meeting.

John Henning Jr. – Town Attorney – Send me your suggestions and I will try to get an Ordinance Review Committee meeting scheduled before the meeting and we will have something to look at in January.

Announcements

Town Employee Luncheon will be December 15, 2017 at 12:00 p.m. at Tallulah Country Buffet

Town Offices will be closed December 25, 26, and 27 in observance of the Christmas Holiday

Town Hall Offices will be closed Monday January 1, 2017 in observance of New Year's Day

The next regularly scheduled Board Meeting will be Tuesday January 2, 2018

Adjournment

**Motion made by Collins, seconded by McMahan to adjourn the Town Council meeting at 8:06p.m.
Motion carried. Vote: 5 to 0.**

Robert S. Scott, Mayor

Travis Tallent, Town Clerk

