



Town of Franklin Council

Agenda

February 3, 2020

6:00 p.m.

1. **Call to Order**- Mayor Bob Scott
2. **Pledge of Allegiance**- Vice Mayor Barbara McRae
3. **Adoption of the February 3, 2020 Town Council Agenda**- Town Council
4. **Approval of the Consent Agenda for February 3, 2020**
 - A.) Approval of January 6, 2020 Town Council Minutes
 - B.) Street Closing Request for 2020
 - C.) Water and Sewer Allocation for Scenic Ridge Development Project
 - D.) Legal Dismissal of 18-CVS-642 Town of Franklin vs. Houston Property and Release of Attorney Client Memo
5. **Public Session**
6. **New Business:**
 - A.) Presentation from Altered Frequencies for Franklin Festivals and Events- Jimbo Ledford
 - B.) Purchase Contract for Property Located at 311 Clyde Street- Town Manager Summer Woodard and Town Attorney John Henning Jr.
 - C.) Purchase Contract for Property Located at 196 West Palmer Street- Town Manager Summer Woodard and Town Attorney John Henning Jr.
 - D.) Update on Town of Franklin Comprehensive Land Use Plan- Land Use Administrator Justin Setser
 - E.) Update on Minimum Housing Complaint at 18 Wilkie Street- Land Use Administrator Justin Setser
 - F.) Discussion on Speed Limit Reduction Request along Belle View Park Road- Town Manager Summer Woodard
 - G.) Discussion on Proposals for NCDOT Utility Project R-5734B- Town Manager Summer Woodard and Town Attorney John Henning Jr.
 - H.) Discussion on Interim Police Chief Appointment- Town Manager Summer Woodard
 - I.) Discussion on Strategic Planning Session- Town Manager Summer Woodard
7. **Legal:**
 - A.) Discussion on Data Breach Policy- Town Attorney John Henning Jr.
 - B.) Amendment to Dental Amalgam Implementation Policy – Town Attorney John Henning Jr. and Town Manager Summer Woodard
8. **Announcements:**
 - A.) The Town of Franklin will host an Appreciation Ceremony for Chief David Adams on Wednesday February 12, 2020 from 2:00 p.m. until 4:00 p.m. in the Town Hall Boardroom.
 - B.) The Town of Franklin will host a Retirement Ceremony for Captain Stephen Apel on Thursday February 13, 2020 from 2:00 p.m. until 4:00 p.m. in the Town Hall Boardroom
9. **Adjourn**

February 3, 2020 meeting,

The regular meeting of the Franklin Town Council was held on Monday February 3, 2020 at 6 p.m. in the Town Hall Board Room. Mayor Robert S. Scott presided. Vice Mayor Barbara McRae and council members Joe Collins, David Culpepper, Jack Horton, and Dinah Mashburn were present.

Mike Lewis was absent.

The Pledge of Allegiance was led by Vice Mayor McRae.

Motion was made by McRae, seconded by Mashburn to excuse Council Member Mike Lewis from the meeting. Motion carried. Vote: 5 to 0.

Adoption of the February 3, 2020 Town Council Agenda

Council Member Mashburn said she would like to add discussion of funding for a position at No Wrong Door as item 7(C).

Council Member Culpepper said that he would like to pull 4(D) from the Consent Agenda and add it under Legal as item (C).

Motion was made by Horton, McRae to approve the Town Council Agenda as amended. Motion carried. Vote: 5 to 0.

Approval of the Consent Agenda for February 3, 2020

Council Member Mashburn pointed out that a date needed corrected on the January 6, 2020 minutes.

- A.) Approval of the January 6, 2020 Town Council Minutes
- B.) Street Closing Request for 2020
- C.) Water and Sewer Allocation for Scenic Ridge Development Project

Motion was made by Horton, seconded by McRae to approve the agenda as amended. Motion carried. Vote: 5 to 0.

Public Session

Dave Linn had a street closing request for the Braveheart 5K.

Roland Mock talked about an alcohol permit issue.

Alan and Hannah Edwards talked about a North Carolina statute concerning alcohol sales.

Diana Thomas talked about the homeless population.

February 3, 2020 meeting continued,

New Business: Presentation from Altered Frequencies for Franklin Festivals and Events

Jimbo Ledford spoke to the Town Council about looking at the Whitmire Property to evaluate possibilities of uses in the future. He discussed potentially opening up for small campsites or event rentals.

Council Member Culpepper said he did not have an issue with Jimbo checking on the feasibility of the property.

Town Attorney John Henning Jr. said that there would be no issue with letting him do that legally and that Town Manager Summer Woodard could handle allowing him to do so and any restrictions that needed to be imposed if issues came up.

Council Member Mashburn said that if the board lets him do it then they will have to let anybody who asks in the future do the same.

Council Member Collins said that he could do it regardless but at least he had the respect to ask the Town Council for permission. He said he did not have a problem with it.

Council Member Horton said that he thought the attorney's response was appropriate.

The Town Council directed Woodard to allow Ledford to view the property and to manage the issue.

New Business: Purchase Contract for Property Located at 311 Clyde Street

Henning Jr. told the board that the contract for the purchase of the property at 311 Clyde Street was agreed to by Town Administration and the property owner for the tax value of the property. The property adjoins Town property where the water take currently sits.

Council Member Horton pointed out that funds from water and sewer would be used to make the purchase.

Motion was made by Collins, seconded by Culpepper to purchase the 311 Clyde Street property for \$26,660 from retained earnings. Motion carried. Vote 5 to 0.

New Business: Purchase Contract for Property Located at 196 West Palmer Street

Henning Jr. told the Town Council that he had a letter from the Environmental Protection Agency that declared the property clear of any concerns. The only restriction is that a well cannot be placed on the property. He said that the agreed upon price would be \$180,000.

Council Member Collins said that he did not think that the property was worth what the Town was going to pay for it but that the Town has a unique need for the property considering the location in conjunction with the Fire Department and Police Department.

February 3, 2020 meeting continued,

Council Member Culpepper said he did not think it was worth spending \$180,000 on.

Motion was made by McRae, seconded by Mashburn to purchase the property located at 196 West Palmer Street for \$180,000 from general fund balance. Motion carried. Vote: 4 to 1. Culpepper opposed.

New Business: Update on Town of Franklin Comprehensive Land Use Plan

Land Use Administrator Justin Setser told the board that a draft of the plan would be available on the website for review and that the next step is for Planning Board to begin reviewing the plan.

New Business: Update on Minimum Housing Complaint at 18 Wilkie Street

Setser presented this item. He said the house on the corner of Wilkie and Old Murphy Road had not adequately responded to the process requiring the owner to fix various issues at the home to meet the Minimum Housing Code. He said the next step would involve the attorney to force the issue in the court system.

Henning Jr. presented a draft resolution to authorize himself to file suit that could lead a court issuing an order of demolition of the home. He said the property owner could still bring the home up to code during the proceedings.

Motion was made by Collins, seconded by McRae to approve the resolution as presented. Motion carried. Vote: 5 to 0.

New Business: Discussion on Speed Limit Reduction Request along Belle View Park Road

Town Manager Summer Woodard presented a request from a resident of the road to request NCDOT to lower the speed limit in the area.

Town Council directed staff to make the request to NCDOT to reduce the speed limit to 25 miles per hour.

New Business: Discussion on Proposals for NCDOT Utility Project R-5734B

Henning Jr. presented this item concerning the widening of 441 South towards Wide Horizon. NCDOT has a program to relocate existing water and sewer facilities out of the way of their expansion and they reimburse the costs. After an RFQ process was completed, Withers-Ravenel's proposal was chosen.

Woodard said that the opportunity will allow the Town's own engineering group to direct the project to the Town's preferences while NCDOT pays the costs.

Motion was made by Culpepper, seconded by McRae to award the proposed engineering services to Withers-Ravenel and to approve the contract as proposed to be paid from retained earnings. Motion carried. Vote: 5 to 0.

February 3, 2020 meeting continued,

New Business: Discussion on Interim Police Chief Appointment

Woodard presented Franklin Police Captain Danny Bates as Interim Police Chief. Bates will serve as Interim Chief until a full-time Chief is hired.

New Business: Discussion on Strategic Planning Session

Woodard presented this item.

The Town Council directed Woodard to handle arrangements to have a Strategic Planning Session on the evening of February 21 and the morning of February 22, 2020.

Legal: Discussion on Data Breach Policy

Henning Jr. presented this item.

Motion was made by Culpepper, second by McRae to adopt the Data Breach Policy as presented. Motion carried. Vote: 5 to 0. Policy is attached.

Legal: Amendment to Dental Amalgam Implementation Policy

Woodard presented this item.

Motion was made by Culpepper, seconded by Mashburn to approve resolution for release and conveyance of NCDOT property. Motion carried. Vote: 5 to 0.

Legal: Discussion on No Wrong Door's Substance Abuse Position

Woodard said that Macon County is looking at a partnership opportunity with the Town of Franklin for a Substance Abuse position at No Wrong Door. The presentation may take place at the March meeting.

Legal: Legal Dismissal of 18-CVS-642 Town of Franklin vs Houston Property and Release of Attorney Client Memo

Henning Jr. said that the property in question has been brought up to the minimum housing requirements and that he would be moving to dismiss the charge with prejudice.

Council Member Collins said that he would rather it be dismissed without prejudice.

Council Member Culpepper agreed and said he felt certain that it would come back up again.

Motion was made by Horton, seconded by Collins to direct Henning Jr. to move to dismiss case 18-CVS-642 Town of Franklin vs Houston Property without prejudice. Motion carried. Vote: 5 to 0.

February 3, 2020 meeting continued,

Adjournment

**Motion made by Mashburn, seconded by Culpepper to adjourn the Town Council meeting at 7:50 p.m.
Motion carried. Vote: 5 to 0.**

Robert S. Scott, Mayor

Travis Tallent, Town Clerk