



**Town of Franklin Council**

**Agenda**

**November 4, 2019**

**6:00 p.m.**

1. **Call to Order- Mayor Bob Scott**
2. **Pledge of Allegiance- Vice Mayor Barbara McRae**
3. **Adoption of the November 4, 2019 Town Council Agenda**
4. **Approval of Consent Agenda for November 4, 2019**
  - A.) Approval of the October 7, 2019 Town Council Minutes
  - B.) Budget Amendments
  - C.) Set Public Hearing for Re-Zoning Petition for 312 Dryman Road
  - D.) Tax Releases
5. **Public Hearing 6:05 p.m. for Plat Stamp Amendment to the Unified Development Ordinance**
6. **Public Session**
7. **New Business:**
  - A.) Board Action on Plat Stamp Amendment to the Unified Development Ordinance
  - B.) Discussion on Bidwell Street Property- Mayor Scott
  - C.) Presentation of Town of Franklin Audit for Fiscal Year 2018-2019- Martin Starnes Associate
  - D.) Adoption of Town of Franklin Retention Policy- Town Manager Summer Woodard
  - E.) Amendment to Town of Franklin Travel Policy-Town Manager Summer Woodard
  - F.) Discussion on Pro-Rated Sick Leave for the Town of Franklin- Human Resource Director Travis Tallent
  - G.) Discussion on Town of Franklin Employee Health Insurance Start Date- Human Resource Director Travis Tallent
8. **Legal:**
  - A.) Discussion on Data Breach Policy- Town Attorney John Henning Jr.
9. **Announcements**
  - A.) Town Hall Offices will be closed Monday November 11, 2019 in observance of Veterans Day
  - B.) Annual Veterans Day Parade will be Monday November 11, 2019 at 11:00 a.m. at the Gazebo
  - C.) Town Hall Offices will be closed Thursday November 28<sup>th</sup> and Friday November 29<sup>th</sup> for Thanksgiving
  - D.) Winter Wonderland and the Tree Lighting Ceremony Saturday November 30, 2019 from 5:00 p.m. to 8:00 p.m.
10. **Adjourn**

## **November 4, 2019 meeting,**

The regular meeting of the Franklin Town Council was held on Monday November 4, 2019 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, Adam Kimsey, Brandon McMahan, and Dinah Mashburn were present.

The Pledge of Allegiance was led by Vice Mayor McRae.

### **Adoption of the November 4, 2019 Town Council Agenda**

**Motion was made by McMahan, seconded by Culpepper to approve the agenda as presented. Motion carried. Vote: 6 to 0.**

### **Approval of the Consent Agenda for November 4, 2019**

- A.) Approval of the October 7, 2019 Town Council Minutes
- B.) Budget Amendments
- C.) Set Public Hearing for Re-Zoning Petition for 312 Dryman Road for December 2, 2019 at 6:05 p.m.
- D.) Tax Releases

**Motion was made by Culpepper, seconded by McRae to approve the November 4, 2019 Consent Agenda as presented. Motion carried. Vote: 6 to 0.**

### **Public Session**

Sandra Crownover spoke about the Houston house at the corner of West Main Street and Bidwell Street.

### **New Business: Board Action on Plat Stamp Amendment to the Unified Development Ordinance**

**Motion by McRae, second by Kimsey to approve Plat Stamp Amendment to the Unified Development Ordinance. Motion carried. Vote: 6 to 0. Documentation is attached**

### **New Business: Discussion On Bidwell Street Property**

A group of neighbors to the Max Houston property spoke in concern to the state of the property.

Town Attorney John Henning Jr. told the group that the case is in the court system.

The Town Council directed Mr. Henning to take steps necessary to speed up the process.

**November 4, 2019 meeting continued,**

**New Business: Presentation of Town of Franklin Audit for Fiscal Year 2018-2019**

Kelly Gooderham presented this item on behalf of Martin Starnes Associates.

**New Business: Adoption of the Town of Franklin Retention Policy**

Town Manager Summer Woodard presented an updated retention policy for municipalities as issued by the State of North Carolina.

**Motion was made by Kimsey, seconded by McMahan to adopt the 2019 Retention Policy for Municipalities. Motion carried. Vote: 6 to 0.**

**New Business: Amendment to the Town of Franklin Travel Policy**

Town Manager Summer Woodard presented to the Town Council the amended travel policy which makes employees who are traveling liable for their own hotel incidentals.

**Motion made by Culpepper, seconded by Kimsey to adopt the amended Town of Franklin Travel Policy. Motion carried. Vote: 6 to 0. Amended policy is attached.**

**New Business: Discussion on Pro-Rated Sick Leave for Town of Franklin**

Human Resource Director Travis Tallent told the Town Council that currently all employees earn 8 hours of sick a month. Most employees work 8-hour days but the fire department and most police employees work 24 and 12 hour shifts respectively. A point of discussion as of late had been to allow those employees 24 and 12 hours per month of sick leave so that they only have to use one "day" in the event that they are sick.

Council Member Collins said he didn't think that would be fair to the other employees.

Council Member Culpepper said that one employee would get three days of sick leave and one employee would get one day per month.

Council Member Collins said he thinks in a month or a year's time that the employees work the same amount of time.

Town Manager Woodard said that from the employee stand point, if they work a 12-hour shift and they are sick then they have to hope they have enough banked beyond the 8-hour accrual to make up a full shift.

Mayor Scott said that recruitment for public safety positions across the country has become very difficult. If it would help in recruiting then you may want to take that into consideration.

Vice Mayor McRae asked how other employees feel about it.

**November 4, 2019 meeting continued,**

Council Member Culpepper said that an employee at the water plant who is sick still gets paid for eight hours and if a firefighter is sick then they get paid for 24 hours.

Council Member McMahan said that if a firefighter gets sick then they have to use three days of sick time instead of one like the water treatment employee.

Council Member Culpepper said that in the case of the firefighter, that employee is then off for the next two days.

Town Manager Woodard said she could see that reasoning in the case of vacation where employees can plan their days off but that in the event of illness, employees can't choose.

Council Member Culpepper said that if he were a firefighter then he would be much more likely to be sick if he knew he would get paid for a 24-hour shift.

Council Member Mashburn said she could see it both ways. If she were sick she would want the 24-hour accrual but on the other side, she would have a lot of accumulated sick time at the end of her career. She asked how that works towards retirement.

HR Director Tallent said he had checked with the State and that sick days are based on the entity's definition of a sick day whether it is 8, 12, or 24 hours so if the sick accruals were to change that as far as retirement goes, employees in different departments would not be held to a different standard.

Council Member Collins said that it would short the 8-hour employees.

HR Director Tallent said that on a yearly basis, regular employees work 2,080 hours in a year whereas the firefighters work 2,756 hours in a year so that wouldn't be the case.

Council Member Kimsey said he had seen places that accrue sick time per pay period based on a formula in accordance to the hours they work.

Council Member Culpepper asked if there may be a middle ground similar to what Council Member Kimsey mentioned.

HR Director Tallent said he could definitely see a move towards that method eventually.

Council Member McMahan said he thought the hours worked per year was important to note and asked for the numbers again.

HR Director Tallent said it was 2,080 for standard employees, 2,756 for fire and that police would be a little more than standard employees but that he didn't have an exact figure.

Council Member Collins asked if that extra time was overtime.

HR Director Tallent told the board that under the 7K exemption for public safety employees that they can work an altered schedule without earning overtime.

**November 4, 2019 meeting continued,**

Council Member Culpepper said that since employees roll sick time from month to month that it's probably rare that an employee doesn't have the time.

Town Manager Woodard said that some of the concern comes with new employees who may not have the time.

**New Business: Discussion on Town of Franklin Employee Health Insurance Start Date**

HR Director Tallent said another issue that has been encountered is the way the personnel policy discusses health insurance start dates for new employees. As it is written employees are eligible for insurance coverage on the first day of the month following 30 days of employment. Legal requirements of having insurance coverage could leave potential employees in a tough spot if they have to go without insurance during the waiting period.

Council Member Collins asked about COBRA coverage.

HR Director Tallent said that COBRA could be used retroactively but said that the costs can be high.

Town Manager Woodard said that changing the wording to would allow more discretion.

Council Member Culpepper said that if he understood it correctly if an employee leaves, by the time a new employee is hired there shouldn't be any overlap in funding insurance but that it could happen.

Council Member Collins asked what brought this change up.

Town Manager Woodard said that recruitment is a large factor. She said it is hard to hire a good employee if they won't have insurance for almost two months.

Council Member Collins asked why it was two months.

HR Director Tallent said an example would be if an employee were hired on March 2<sup>nd</sup> then under the current policy, the employee would not receive health insurance until May 1<sup>st</sup>.

Vice Mayor McRae said it doesn't sound like an extreme change.

Council Member Mashburn said based on that outlook that a change sounds reasonable.

Council Member Kimsey said that it is hard to recruit a transfer employee who already has insurance.

Council Member Collins said he isn't comfortable with things coming up for discussion and being voted on in the same meeting.

Mayor Scott said it could be up to 60 days before an employee gets insurance. He said if an employee has a bad illness while waiting that it could wreck a family.

**November 4, 2019 meeting continued,**

Council Member Culpepper said he's never had health insurance so he is in uncharted waters.

Council Member McMahan said he does have health insurance and that it's a been a blessing.

**Motion was made by McMahan, seconded by McRae to approve the changes to the employee health insurance start date as presented. Motion carried. Vote: 6 to 0. Wording is attached.**

**Legal: Discussion on Data Breach Policy**

Town Attorney John Henning Jr. presented this item.

**Comments from the Board**

Council Member Culpepper said that Halloween on Bidwell was fantastic. He said that he would also like to revisit the liaison to the different Town boards idea.

**Announcements**

- A.) Town Hall Offices will be closed Monday November 11, 2019 in observance of Veterans Day
- B.) Annual Veterans Day Parade will be Monday November 11, 2019 at 11:00 a.m. at the Gazebo
- C.) Town Hall Offices will be closed Thursday November 28<sup>th</sup> and Friday November 29<sup>th</sup> for Thanksgiving
- D.) Winter Wonderland and the Tree Lighting Ceremony Sunday November 30, 2019 from 5:00 p.m. to 8:00 p.m.

**Adjournment**

**Motion made by Culpepper, seconded by Mashburn to adjourn the Town Council meeting at 7:20 p.m. Motion carried. Vote: 6 to 0.**

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Robert S. Scott, Mayor

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Travis Tallent, Town Clerk