

**MINUTES OF THE TOWN OF FRANKLIN TOWN COUNCIL  
REGULAR MEETING  
APRIL 4, 2022**

**THE FRANKLIN TOWN COUNCIL** held a regular meeting on Monday, April 4, 2022, at 6:00 pm. in the Town Hall Board Room located at 95 East Main Street Franklin, NC.

**1. CALL TO ORDER**

**Mayor Jack Horton called the meeting to order at 6:00 p.m. with the following members present:** Vice Mayor Joe Collins, Council Members David Culpepper, Stacy Guffey, Mike Lewis, Adam Kimsey and Rita Salain.

**2. PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Vice Mayor Joe Collins.

**3. RECOGNITION AND AWARDS**

- A. Mark McConnell, Pump Maintenance Mechanic was recognized for his 20 years of service to the Town of Franklin. Public Works Director Bill Deal highlighted several items from his work tenure and personal life.

Mayor Horton congratulated Mr. McConnell and presented a Certificate of Appreciation for Mr. Deal to give to Mr. McConnell to thank him for his service to the citizens of Franklin.

**4. ADOPTION OF THE APRIL 4, 2022 TOWN COUNCIL AGENDA**

*Council Member Rita Salain made a motion, seconded by Council Member David Culpepper to adopt the Town Council Agenda for April 4, 2022. Council Members Collins, Culpepper, Guffey, Kimsey and Salain voted in the affirmative; Council Member Mike Lewis voted in opposition. The motion carried by a vote of 5 – 1.*

**5. APPROVAL OF THE CONSENT AGENDA FOR APRIL 4, 2022**

- A. Approval of March 7, 2022 Town Council Minutes
- B. Tax Collections/releases
- C. Personnel Policy Updates
  - a. Article III – The Pay Plan – Section 13. Longevity Pay
  - b. Article IV – Leaves of Absence – Section 6. Vacation Leave: Accrual Rate
- D.) Reappointment of Members of the Planning Board
- E.) Budget Amendments

*Vice Mayor Joe Collins made a motion, seconded by Council Member Mike Lewis to remove item C (a) from the consent agenda and place it on the May 2, 2022 regular meeting as an item of new business and approve the remaining items on the consent agenda. The motion carried unanimously. Vote 6-0.*

## **6. PUBLIC HEARINGS**

### **A. Public Hearing - Voluntary Annexation – 3011 Georgia Road**

Town Planner, Justin Setser explained that a request had been received for a voluntary annexation into Town of Franklin town limits for property located at 3011 Georgia Road. The annexation petition has been certified by the Town Clerk and notice was published in the Franklin Press on March 23 and March 30, 2022. Mr. Setser added that if approved, the property would need a zoning designation to be evaluated by the Planning Board.

**The hearing was called to order at 6:16 p.m.**

No one addressed the Town Council on this item.

**The hearing was closed at 6:17 p.m.**

***Council Member Rita Salain made a motion, seconded by Council Member Mike Lewis to approve the Ordinance to Extend the Corporate Limits of the Town of Franklin for the Voluntary Annexation of 3011 Georgia Road. The motion carried unanimously. Vote 6-0.***

***Council Member Adam Kimsey made a motion, seconded by Council Member David Culpepper to request that the Planning Board evaluate and provide a zoning designation for the newly annexed property. The motion carried unanimously. Vote 6-0.***

## **7. CALL FOR PUBLIC HEARING**

Justin Setser, Town Planner requested a public hearing to be held at the May 2, 2022 regular meeting to consider a rezoning request for property located at 20 Mary B Lane. The request is rezone from Storage R-1 to Commercial C-2. The Planning Board voted unanimously at their March 21, 2022 meeting to recommend this rezoning.

***Council Member Mike Lewis made a motion, seconded by Council Member Adam Kimsey to set a public hearing for May 2, 2022 for 6:05 p.m. or as soon thereafter as possible to consider the rezoning of property located at 20 Mary B Lane from Storage R-1 to Commercial C-2. The motion carried unanimously. Vote 6-0.***

## **8. PUBLIC SESSION**

Rich Cassidy – 1126 Black Gap Road - spoke to the Longevity Pay item that was removed from the consent agenda. Mr. Cassidy indicated that there were concerns related to the interpretation of the policy language. He referenced the longevity line item, specifically in the Police Department, and its amount which was budgeted. Mr. Cassidy noted that he had not seen the proposed clarification in the policy. Mayor Horton thanked Mr. Cassidy for his comments.

Tim Shaw, representing Sk828, provided an update related to fundraising for the skate park including that the group was applying for the Tony Hawk Foundation Grant. Also, the group is working with Phil Lamb for the printed brick for the apron around the skate surface in Phase II. Mr. Shaw noted that there has been a skate shop that has opened on the Highlands Road indicating the interest in skating and this skate park. Mr. Shaw indicated that there are other partners who would like to provide some in-kind services once the construction begins.

Bob Scott- 86 Summit Drive- spoke in opposition of the lease with Root and Barrel Kitchens, LLC and the fact it would not serve a public purpose. He noted that the outdoor dining area could be disruptive to staff trying to work. Mr. Scott added that the previous Council had to wrestle with this issue and that ultimately, it was tabled due to the same concerns.

## **9. OLD BUSINESS**

### A.) Proposed Lease to Root and Barrel Kitchen, LLC for outdoor dining area

Town Manager Amie Owens and Town Attorney John Henning, Jr. commented that the public notice and the proposed lease had been posted for longer than the required timeframe of thirty (30) days. There had been over 150 comments regarding the lease but noted that most were social media posts and they were not considered officially submitted to the Town, as they were on private pages not affiliated with the Town. Ten (10) officially submitted responses of those 9 were in support and one opposed. In order for the lease to be approved, an approval resolution is required.

Council Members commented that they had received overwhelmingly positive comments and encouragement about this potential arrangement. Council Member David Culpepper encouraged citizens to contact Council Members to discuss other ideas related to ways to attract more individuals to the town and downtown. Mayor Horton thanked everyone who took the time to comment whether in favor or opposed to this issue.

***Council Member Stacey Guffey made a motion, seconded by Council Member David Culpepper to approve the Resolution Approving an Agreement to Lease a Portion of the Town Hall Property to the Root and Barrel Kitchen, LLC. The motion carried unanimously. Vote 6-0.***

### B.) Update – Skatepark

Steve Suttles, JE Dunn explained that a meeting was held on March 28, 2022 to help unravel some miscommunications and begin to actively move forward with the skatepark project. He noted that the project was always a Town sponsored project with assistance from JE Dunn. The company is still on board to assist with construction and serve as the general contractor for the project. He noted that the plan is to begin moving dirt to the site for compaction and to get the necessary elevations for the ramps. Specialty contractors will be required for the radii and Pillar Designs, who engineered the plans, will be recommending a contractor. JE Dunn will do the flat concrete work and has secured the necessary steel for the rails from Dave Steel in Asheville.

***No action is requested by Town Council at this time, but as construction progresses there may be a request for additional funds to supplement donations.***

## **10. NEW BUSINESS**

### A.) Request for Street Closures – Streets of Franklin Heritage Association

Brooke Reale, President, Streets of Franklin Heritage Association (SFHA), presented four (4) street closure requests for various events sponsored by SFHA for the remainder of 2022. Dates are in May, July, September and October. Council Member Stacy Guffey thanked Ms. Reale and the SFHA for the efforts put in to have events downtown and for growing the relationship with the Town.

***Council Member Mike Lewis made a motion, seconded by Council Member Stacy Guffey to approve the street closure requests with SFHA communication with the Police Department the month prior to ensure coordination. The motion carried unanimously. Vote: 6-0.***

## **11. ITEMS FROM COUNCIL**

Council Member Adam Kimsey inquired if there had been any further discussion with the ABC Board related to receiving additional revenues. Manager Owens noted that information requested had been received from the ABC Board and that another joint meeting will be scheduled with the ABC Board. Council Member Adam Kimsey also asked about social districts. Manager Owens commented that it was still something that is being researched, but requested some time to see how the process was working in surrounding communities to ensure that there are no unforeseen issues that develop from such.

Council Member Stacy Guffey noted that he had received many comments related to the lease of the Town's property to Root and Barrel. He added that he chose to vote in the public interest.

Mayor Horton reminded the Town Council that there would be a special called meeting on Tuesday, April 19<sup>th</sup> for a budget work session. From discussion, the time of the meeting was changed to 3:30 p.m. in the Town Hall Board Room.

## **12. CLOSED SESSION**

***Council Member David Culpepper made a motion, seconded by Council Member Adam Kimsey to enter into Closed Session under North Carolina General Statute § 143-318.11(a)(5) – acquisition of real property by purchase, option, exchange or lease – Angel Medical Center. The motion carried unanimously. Vote: 6-0.***

**The Town Council entered Closed Session at 7:13 p.m.**

**The Town Council returned from Closed Session at 8:47 p.m.**

## **13. ADJOURNMENT**

***Council Member David Culpepper made a motion, seconded by Council Member Rita Salain to adjourn the meeting at 8:48 p.m. Motion carried. Vote: 6 to 0.***

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C. Jack Horton, Mayor

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Amanda W. Owens, Town Manager  
Acting Town Clerk