

**MINUTES OF THE TOWN OF FRANKLIN TOWN COUNCIL
REGULAR MEETING
December 5, 2022**

THE FRANKLIN TOWN COUNCIL held a regular meeting on Monday, December 5, 2022, at 6:00 p.m. 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, Adam Kimsey and Rita Salain.

Council Member Mike Lewis was absent due to having be sworn in under the new Sheriff for Macon County.

2. PLEDGE OF ALLEGIANCE

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

3. INTRODUCTIONS/RECOGNITIONS

- A.) Introduction of Fire Engineer Zach Ledford – Fire Chief Ben Ormond
- B.) Introduction of Wastewater Treatment Operator Ethan Peek – Bill Deal, Public Works Director
- C.) Introduction of Equipment Operator Jon Sanders – Bill Deal, Public Works Director
- D.) Recognition of Certification for Water Treatment Operator Pedro Ruiz – Bill Deal, Public Works Director
- E.) Swearing in of Police Chief Devin Holland – Mayor Jack Holland
- F.) Presentation of Long Leaf Pine Award to Master Officer Dwayne Cabe – Police Chief Davin Holland

4. ADOPTION OF THE DECEMBER 5, 2022 TOWN COUNCIL AGENDA

Council Member Adam Kimsey made a motion, seconded by Council Member Rita Salain to adopt the Town Council Agenda for December 5, 2022 with the exception of item 6 (A) and 9 (C). These items will be postponed until the January 3, 2023 meeting. The motion carried unanimously. Vote: 5 – 0.

5. APPROVAL OF THE CONSENT AGENDA FOR DECEMBER 5, 2022

- A.) Approval of November 7, 2022 Town Council regular meeting minutes.
- B.) Resolution for Declaration of Service Side Arm for Retiring Member of a Municipal Law Enforcement Agency and Recognition of Service- Retired Police Chief William E. Harrell

Council Member Stacy Guffey made a motion, seconded by Council Member David Culpepper to approve the consent agenda as presented. The motion carried unanimously. Vote 5 – 0.

6. PROJECT AND COMMITTEE UPDATES

- ~~A.) Nikwasi Initiative Annual Report – Elaine Eisenbraun, Executive Director~~
- B.) Feasibility Study Update- Old Angel Medical Center
Town Manager Amie Owens gave an update on the Feasibility Study from Givens Estates. There will be a local provider meeting on Tuesday, December 6 in Town Hall Board Room for local

stakeholders. The environmental field work study is complete and the final report is expected mid-December. The property title search and the boundary, topographic, and elevation studies are complete and the final report is expected in December. These will be presented to the Board at the February 6 meeting.

Town Planner Justin Setser met with Givens and Civil Engineers on November 16 and discussed the qualifications for the Special Use Permit. It was determined the Special Use Permit would not be completed by the HUD deadline, so they have decided to take their time. They are meeting bi-weekly with architects and engineers.

7. CALLS FOR PUBLIC HEARING

- A.) Town Planner Justin Setser made a request to call for Public Hearing to be held at the next regular Town Council meeting on January 3, 2023 at 6:05 p.m. The Town of Franklin has requested a rezoning of 120 Riverview Street from MIRC (Medical Institutional Cultural Residential) to C1 (Commercial).

Vice Mayor Joe Collins made a motion, seconded by Council Member Adam Kimsey to call for a public hearing to be held on Monday, January 3, 2023 at 6:05 p.m. or as closely thereafter to receive input on the rezoning of 120 Riverview Street. The motion carried unanimously. Vote: 5 - 0.

- B.) Town Planner Justin Setser made a request to call for Public Hearing to be held at the next regular Town Council meeting on January 3, 2023 at 6:10 p.m. Vicki and Stephen Baldwin have requested a rezoning of 7 Plantation Drive from R1 (Residential) to C1 (Commercial).

Vice Mayor Joe Collins made a motion, seconded by Council Member David Culpepper to call for a public hearing to be held on Monday, January 3, 2023 at 6:10 p.m. or as closely thereafter to receive input on the rezoning of 7 Plantation. The motion carried unanimously. Vote: 5 - 0.

8. PUBLIC SESSION

No one signed up to speak at Public Session and no one addressed the Town Council.

9. NEW BUSINESS

- A.) Discussion of Text Amendment- Sign Ordinance

Town Planner Justin Setser suggested text amendments for the Town's current Sign Ordinance (§ Chapter 155.08). These recommended amendments are in compliance with NC General Statute § 136-32. These changes were discussed at the October 24 Ordinance Review Committee meeting. Council Member David Culpepper inquired if these amendments would not allow signs in the round-a-bouts. The changes would not allow signs to block motorist visibility. The amendments would also regulate the size and placement of the signs.

Council Member Rita Salain made a motion, seconded by Council Member Stacy Guffey to refer this item to the Planning Board for review. The motion carried unanimously. Vote: 5 - 0.

B.) Discussion of Ordinance Amendment- Chapter 72

Town Attorney John Henning, Jr. spoke on the proposed changes to Chapter 72 Town Ordinance-use of bicycles, in-line skates and skateboards. The Ordinance Review Committee met on October 24 and discussed the proposed change to this ordinance. The reason for this change is due to the proposed licensing with First United Methodist Church and their skate park. There is specific language required by North Carolina GS Chapter 99-E related to hazardous recreation activities and the liabilities of local governments. Attorney John Henning, Jr. stated Council needed to adopt these changes before getting into business of operating skate parks.

Council Member Guffey had concerns about restricting the use of these devices in city limits. Council Member Culpepper would like to see the Ordinance regulation read yield to pedestrians. Mayor Horton said we would need to consider public safety when making changes to the Ordinance.

Council Member Salain is concerned about the possible rezoning of the old hospital to C-1 and restricting the use of bicycles if the old hospital would turn into senior housing.

Manager Owens had a meeting with the skate board community to inform them of the proposed changes.

Mayor Horton asked Attorney Henning to help look up other solutions and to table this item until the January 3, 2023 meeting.

~~C.) Requesting Approval of licensing agreement between Town of Franklin and First United Methodist Church for the skatepark facility~~

D.) Request Approval of partner for Recreation Plan for Whitmire Property

Town Manager Owens has received 2 proposals from the RFQ process for a Recreation Plan for the Whitmire Property. The Town has received a grant for \$75,000 for this study. McGill Associates entered a proposal for \$55,980 and Stewart entered a Proposal for \$71,000.

Town Manager Owens and Town Planner Setser reviewed both proposals and both firms offer the requested services and both have done projects with the Town of Franklin in the past.

Vice Mayor Joe Collins made a motion, seconded by Council Member Adam Kimsey to accept the bid of McGill and Associates as the lowest responsible, responsive bidder for this project. The motion carried unanimously. Vote: 5 - 0.

E.) Request Approval for 2023 Town Council Meeting Schedule

Town Manager Owens presented the 2023 Town Council Meeting Schedule. Regular scheduled meetings will take place on the first Monday of each month at 6 p.m. with the exception of two meetings (January & September). Those will be held on the first Tuesday due to Holiday observances.

Council Member Rita Salain made a motion, seconded by Council Member Stacy Guffey to adopt the meeting schedule for 2023 as presented. The motion carried unanimously. Vote: 5 - 0.

F.) Request Approval for 2023 Town Holiday Schedule

Town Manager Owens presented the 2023 Town of Franklin Holiday Schedule. The Town of Franklin has historically followed the NC State Office Holiday Schedule.

Vice Mayor Joe Collins made a motion, seconded by Council Member David Culpepper to adopt the holiday schedule for 2023 as presented. The motion carried unanimously. Vote: 5 - 0.

G.) Recommendation to name Nicole Bradley, Human Resources Director as Town Clerk

Town Manager Owens made the recommendation to appoint Nicole Bradley as Town Clerk. Nicole attended the UNC-SOG New Clerk's Academy on November 16, 2022. This is the first step in her becoming a NC Certified Municipal Clerk, and was the initial training needed to assume the full duties of Town Clerk.

Council Member David Culpepper made a motion, seconded by Council Member Stacy Guffey to approve the appointment of Nicole Bradley, Human Resources Director, as Town Clerk as presented. The motion carried unanimously. Vote: 5 - 0.

Mayor Jack Horton administered the Oath of Office for Town Clerk to Nicole Bradley.

10. OLD BUSINESS

A.) Request Approval of survey for Heritage Hollow right of way and Town acceptance of Street for maintenance

Town Planner Justin Setser distributed the survey of the Heritage Hollow property that was requested by Town Council at the August 1, 2022 meeting. Town Attorney John Henning Jr. will draft the Resolution to accept the property. Council Member David Culpepper inquired about the pedestrian bridge that was brought up at the August meeting. Vice Mayor Joe Collins would like to see a commitment from the Heritage Hollow Board to build a pedestrian bridge or a good reason why it can't be done. Manager Owens asked if the Council would like to see plans or a cost estimate for a pedestrian bridge.

Vice Mayor Joe Collins made a motion, seconded by Council Member David Culpepper for Town Planner Setser to go back to Heritage Hollow Board and explore the feasibility of putting in a pedestrian bridge. The motion carried unanimously. Vote: 5 - 0.

B.) Explanation of Synagro Contract for lagoon pumping

Town Manager Owens explained that the large invoice from Synagro was for an original contract from 2018. Their services are provided every three to five years and cost \$150,000 for up to 775,000 gallons removed from lagoon. A portion of this payment is reserved annually in Water/Sewer to ensure funds are available when the service is needed. The current billed amount is \$148,500.

11. ITEMS FROM COUNCIL

There were no other items from Council Members.

12. CLOSED SESSION

There were no Closed Session items.

13. ANNOUNCEMENTS

- A.) Next Town Council Meeting will be held Tuesday, January 3, 2023 at 6:00 p.m.
- B.) Employee Holiday Luncheon will be held on Friday, December 16, 2022 at 12 p.m.
- C.) Town Offices will be Closed on Friday, Monday and Tuesday December 23, 26 and 27, 2022 in observance of Christmas per the NC State Holiday Schedule.
- D.) Town Offices will be Closed on Monday, January 2, 2023 in observance of New Years' Day per the NC State Holiday Schedule.

14. ADJOURNMENT

Council Member David Culpepper made a motion, seconded by Council Member Rita Salain to adjourn the meeting at 7:24 p.m. The motion carried unanimously. Vote: 5 to 0.

C. Jack Horton, Mayor

Nicole Bradley, Town Clerk