

**MINUTES OF THE TOWN OF FRANKLIN TOWN COUNCIL
REGULAR MEETING
March 7, 2022**

THE FRANKLIN TOWN COUNCIL held a regular meeting on Monday, March 7, 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, Adam Kimsey, Mike Lewis and Rita Salain.

Mayor Jack Horton asked everyone to observe a moment of silence to acknowledge the events occurring around the world.

2. PLEDGE OF ALLEGIANCE

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

3. RECOGNITION AND AWARDS

- A. Police Sergeant Tony Ashe and Detective Mark Foster were recognized for each achieving 30 years of service to the Franklin Police Department; they will both be retiring on March 31, 2022. Chief Bill Harrell provided a list of their accomplishments during their careers and presented each a framed picture and challenge coin.
- B. Darian Greene, Public Works, was recognized for his attainment of his class A distribution license. He now serves as the Operator in Responsible Charge (ORC) for the distribution system. Bill Deal, Interim Public Works Director presented Mr. Greene with his certificate.

Mayor Horton congratulated all of the individuals recognized and thanked them for their service to the citizens of Franklin.

4. ADOPTION OF THE MARCH 7, 2022 TOWN COUNCIL AGENDA

Council Member Rita Salain made a motion, seconded by Council Member Adam Kimsey to adopt the Town Council Agenda for March 7, 2022. The motion carried unanimously. Vote: 6 to 0.

5. APPROVAL OF THE CONSENT AGENDA FOR MARCH 7, 2022

- A. Approval of February 7, 2022 Town Council Minutes
- B. Budget Amendments
- C. Letter of Support for Fire Department to request Macon County to increase Franklin fire district tax
- D. Rezoning request to be forwarded to the Planning Board for review
- E. Resolution for Declaration of Service Side Arm for Retiring Member of a Municipal Law Enforcement Agency and Recognition of Service – Sergeant Tony Ashe
- F. Resolution for Declaration of Service Side Arm for Retiring Member of a Municipal Law Enforcement Agency and Recognition of Service – Detective Mark Foster
- G. Request Street Closures for Town Sponsored Events and Ruby Drop

Vice Mayor Joe Collins made a motion, seconded by Council Member Mike Lewis to approve the consent agenda as presented. The motion carried unanimously. Vote 6-0.

6. PUBLIC HEARINGS

A. Chapter 514 - Wireless Telecommunications Ordinance

Mayor Jack Horton called the public hearing related to the wireless telecommunications ordinance to order at 6:11 p.m.

Town Planner Justin Setser explained that the majority of the changes to the wireless telecommunications ordinance were related to smaller towers used for mobile data. The changes include a height of up to 25' from the base of the tower and is for towers within the city limits only. The Planning Board reviewed the requested amendments at their October meeting and approved the changes at their January meeting. These changes would allow rooftop small towers in the C2, C3 and Industrial districts.

Discussion was held related to whether or not to charge a fee for permitting of such towers. As there is a permit required, it was noted that the accompanying fee should be considered as part of the budget process and would be an amendment to the fee schedule of the Town.

Mayor Horton noted that no one had signed up to speak on this issue and asked Mr. Setser if there had been any one who had questions about the ordinance. Mr. Setser noted that he had answered a question from a representative from AT & T, but that there had been no further questions.

Mayor Horton closed the public hearing at 6:19 p.m.

Council Member Stacy Guffey made a motion, seconded by Council Member Mike Lewis adopt the amendments to Chapter 154 – the Wireless Communications Ordinance as presented. The motion carried unanimously. Vote 6-0.

B. Chapter 92 – Section 92.02 – Placement and Maintenance of Fire Hydrants

Mayor Jack Horton called the public hearing related to placement and maintenance of fire hydrants to order at 6:20 p.m.

Fire Chief Ben Ormond explained that the change to the ordinance was to be in compliance with statewide fire code and provide guidance related to placement and maintenance of hydrants.

Mayor Horton noted that no one had signed up to speak on this issue and asked Chief Ormond if he had received any questions. No questions or comments were received.

Mayor Horton closed the public hearing at 6:21 p.m.

Council Member David Culpepper made a motion, seconded by Vice Mayor Joe Collins to adopt amendments to Chapter 92 – Fire Prevention – Section 92.04 Maintenance and Placement of Fire Hydrants as presented. The motion carried unanimously. Vote 6-0.

7. CALL FOR PUBLIC HEARING

Mr. Setser explained that an application for voluntary annexation had been received from the property owner of 3011 Georgia Road. Town Manager/acting Town Clerk Amie Owens confirmed that the application met all of the requisite conditions including the payment of a non-refundable \$500.00.

Councilmember David Culpepper made a motion, seconded by Councilmember Adam Kimsey to call for a public hearing to be held at 6:05 p.m. or as closely thereafter as possible on Monday, April 4, 2022 for the consideration of a voluntary annexation for property located at 3011 Georgia Road. The motion carried unanimously. Vote 6-0.

8. PUBLIC SESSION

Bob Scott addressed the Council regarding the Root and Barrel proposed lease of public property. He indicated that he felt that this lease did not reflect a public purpose and had concerns about alcohol on Town property. Mr. Scott provided an example of the Friday night movies and how there could be disturbances from both sides. He asked the Town Council to consider their decision carefully as it could set a precedent for the future.

9. OLD BUSINESS

A. Update – Root and Barrel Lease Request

Town Manager Owens explained that the draft lease had been forwarded to Root and Barrel owners, Virginia and Gary Murphy for review. The proposed lease has been posted at the Town Hall and will remain for the required 30-day period. Notification has been made to the media related to the terms of the lease and posted appropriately as a public notice in the newspaper.

There was no action taken by Council; action will be taken at the April 4, 2022 regular meeting.

B. Update – Water Treatment Plant Phase II

Dana Bolden, Senior Project Manager, Withers Ravenel (WR) explained that the Water Treatment Plant Phase II project cost increased by nearly 50% following the professional engineering report (PER) completion. The PER was submitted to the state for review as a condition of the State Revolving Loan qualifications. The goal is to apply for a grant for the difference in cost which could occur as early as May 2022. The project would double the capacity for water treatment to 4 MGD; this improvement would allow for future growth to the system and increased ability to perform necessary maintenance without requiring water restrictions.

As the original \$8.3 Million has been authorized, it is becoming necessary to move forward with the engineering and design contract. Town Attorney John Henning has reviewed the proposed contract.

Councilmember Mike Lewis made a motion, seconded by Vice Mayor Joe Collins to approve the engineering/design contract for WithersRavenel at a cost of \$1,383,000.00. The motion carried unanimously. Vote 6-0.

C. Update – Skate Park

Tim Shaw, representing Sk828, provided an update related to fundraising for the skate park noting that approximately \$10,000 had been raised. He noted that he had conversations with JE Dunn representatives noting that they would need \$35,000 for concrete and rebar to begin the project. He pleaded with Council to work with Macon County to have the park be a joint effort.

Discussion was held related to the funding for the skatepark with the Town Manager noting that the understanding was that JE Dunn would be assisting with fundraising and getting materials at a discounted or donated and that if there was a shortfall following construction the Town would be asked to contribute.

The request for the \$35,000 for concrete and rebar was not voted upon and the Town Manager was asked to explore a Memorandum of Understanding with JE Dunn to determine the responsibilities for each.

10. NEW BUSINESS

A. Annual Audit Contract with Martin Starnes

Sarah Bishop, Finance Director explained that the annual audit contract proposal with Martin Starnes had been received and that the rate was increased by approximately \$9,000 from the previous year. The reasoning for this is that there are additional audit requirements related to the American Recovery Plan Act (ARPA) and fewer and fewer auditing firms are working with government entities. Information for the annual audit is collected in May and the on-site audit occurs some time in August. The total potential cost for the audit is \$42,950.

Councilmember Stacy Guffey made a motion, seconded by Councilmember Mike Lewis to approve the annual audit contract with Martin Starnes at an amount not to exceed \$42,950. The motion carried unanimously. Vote 6-0.

11. ITEMS FROM COUNCIL

Mayor Horton reminded members that at the last meeting it was suggested that Councilmember David Culpepper be added as a Town representative to the Nikwasi Initiative Board (NIB). Mayor Horton will send a letter to the NIB requesting appointment of Councilmember David Culpepper and asking that Fred Alexander be allowed to continue serving in some capacity.

The majority of Council Members expressed that they felt beautification efforts should be undertaken to continue to show pride in the community and improve areas such as the roundabouts. Mayor Horton suggested a litter pick up in the spring led by the Town Council as a potential activity. Councilmember Rita Salain noted that potentially adding days for street sweeping could help keep the town look better.

12. CLOSED SESSION

There was no closed session item for this meeting.

13. ADJOURNMENT

Vice Mayor Joe Collins made a motion, seconded by Council Member David Culpepper to adjourn the meeting at 7:48 p.m. Motion carried. Vote: 6 to 0.

C. Jack Horton, Mayor

Amanda W. Owens, Town Manager
Acting Town Clerk